

CITY COUNCIL AGENDA
Monday, March 2, 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 (Legal consultation)

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

Pledge of Allegiance
Roll Call
Approval of Agenda
Announcements
Recognitions/Proclamations
Board/Commission Appointments

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

- a. **MINUTES:** February 3 Special and Regular meetings, February 6 Budget Worksession, February 11 Special meeting, February 12 meeting with CADRe, February 18 Special and Regular meetings, February 20 Worksession
- b. **APPROPRIATION:** Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 - \$25,072 (2nd reading)
- c. **APPROPRIATION:** Byrne/JAG – Youth Engagement Programs Grant- \$99,291 (2nd reading)
- d. **APPROPRIATION:** Skate Park lighting donations - \$47,540 (1st of 2 readings)
- e. **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 (1st of 2 readings)
- f. **RESOLUTION:** Playground License for Walker Upper Elementary School (1 reading)
- g. **RESOLUTION:** Referral of Accessory Dwelling Unit, Middle Density Zoning, and Affordable Dwelling Unit Zoning Text Amendments to Planning Commission (1 reading)
- h. **ORDINANCE:** Proposed Amendment to City Code Section 15-435 (b) – vehicle immobilization rates (2nd reading)

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

COMMUNITY MATTERS Public comment for up to 16 speakers (limit 3 minutes per speaker). Pre-registration available for up to 8 spaces; pre-registered speakers announced by Noon the day of the meeting. In-person sign-ups begin at 6:00 p.m. in Council Chamber. Additional public comment period at end of meeting.

Action Items

- 2. RESOLUTION:** Harris Street Apartments special use permit (1st of 2 readings)
- 3. RESOLUTION*:** Barracks/Emmet Intersection Improvements as related to for the proposed Barracks Road & Emmet Street Intersection Improvement Smart Scale Project (1 reading)

General Business

- 4. REPORT:** United States Census 2020 oral report
- 5. REPORT:** City Schools Budget Presentation
- 6. REPORT:** City Manager Budget Presentation

Other Business

Matters by the Public

*Action Needed

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February 3, 2020
Charlottesville City Council Special Meeting

A special meeting of the Charlottesville City Council was held on Monday, February 3, 2020, at 3:00 p.m. in the City Hall Second Floor Conference Room, City Hall, 605 E. Main Street, Charlottesville, Virginia.

The meeting was called to order at 2:58 p.m. with the following members present: Vice Mayor Sena Magill, Ms. Heather Hill and Mr. Lloyd Snook. Mayor Nikuyah Walker arrived at 3:02 p.m. and Mr. Michael Payne arrived at 3:07 p.m.

On motion by Ms. Hill, seconded by Mr. Snook, Council voted 3-0 (Ayes: Hill, Magill, Snook. Noes: None. Absent: Payne, Walker) to meet in closed session as authorized by Va. Code Sections 2.2-3711 and 2.2-3712, specifically:

- as authorized by Virginia Code Section 2.2-3711(A)(1) for the interviewing, discussion and consideration of appointing members to the Charlottesville Police Civilian Review Board; and
- pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel pertaining to actual litigation in the matter of *Payne v. City of Charlottesville* where such consultation in open meeting would adversely affect the litigating posture of the City of Charlottesville; and
- pursuant to Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel regarding specific legal matters related to a contract requiring the legal advice of the City Attorney's Office.

On motion by Ms. Hill, seconded by Mr. Snook, Council certified by the following vote 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: None), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting was adjourned at 6:20 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY COUNCIL REGULAR MEETING

Monday, February 3, 2020

Council Chamber

6:30 p.m.

The Charlottesville City Council met in regular session on February 3, 2020, with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Ms. Heather Hill, Mr. Michael Payne, and Mr. Lloyd Snook.

Ms. Walker called the meeting to order at 6:31 p.m.

Ms. Hill announced the “Imagining a New Democracy Summit” being held in Council Chamber on February 6 and 7.

Ms. Magill shared announcements about a Community lunch at the Boys and Girls Club on February 8, a “Greens Cook-off” at the Jefferson School on February 8, and starting February 12 “The Road Forward to Know Your Government”, a series of six non-partisan local forums.

Mr. Snook announced the Grace Tinsley Scholarship Bash, a fundraiser to be held on February 22, at Carver Recreation Center.

Ms. Walker gave an update on the Home to Hope program and shared that several participants recently received jobs.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

- a. MINUTES: December 16, 2019 regular meeting; January 6, 2020 special meeting
- b. APPROPRIATION: Human Services Fund Balance for PACEM (People And Congregations Engaged in Ministry) Transportation Costs - \$20,000 (2nd reading)

Mr. Payne asked to remove this item from the Consent Agenda for a separate vote, referencing a conflict of interest as an employee of PACEM.

- c. APPROPRIATION: State Criminal Alien Assistance Program (S.C.A.A.P.) Grant for 2019 - \$4,478 (2nd reading)

APPROPRIATION

State Criminal Alien Assistance Program (SCAAP) Grant for 2019 Reimbursement

\$4,478

WHEREAS, the State Criminal Alien Assistance Program (SCAAP) grant, providing federal payments for correctional officer salary costs incurred for incarcerating certain undocumented criminals has been awarded the City of Charlottesville, on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$4,478.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of \$3,492.84 be appropriated and passed through to the Albemarle-Charlottesville Regional Jail and \$985.16 be appropriated and passed through to Justice Benefits, Inc.

Revenues

\$4,478 Fund: 211 Internal Order: 1900328 G/L Account: 431110

Expenses

\$3,492.84 Fund: 211 Internal Order: 1900328 G/L Account: 530550
\$985.16 Fund: 211 Internal Order: 1900328 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$4,478 from the U. S. Bureau of Justice Assistance.

- d. RESOLUTION: City Market sub-lease

**RESOLUTION
APPROVING CITY MARKET SUBLEASE**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the proposed sublease between the City of Charlottesville and Skyview Parking, LLC, for a term beginning April 1, 2020, and concluding on December 19, 2020, is hereby approved.

- e. RESOLUTION: Afton Express Transit Service grant application

**RESOLUTION OF SUPPORT FOR
THE AFTON EXPRESS TRANSIT SERVICE GRANT APPLICATION**

WHEREAS, the Strategic Highway Research Program II (SHRP II) Interstate 64 Corridor Plan developed by the Charlottesville Albemarle Metropolitan Planning Organization in December 2017 identified in Goal # 1: “further integrate transit into the corridor through supporting research and development of inter-regional transit options; and

WHEREAS, the SHRP II Interstate 64 Corridor Plan identified that 4,597 workers from Augusta County and the Cities of Waynesboro and Staunton travel daily into the Albemarle- Charlottesville area; and

WHEREAS, the Central Shenandoah Planning District Commission developed an I-81/I-64 InterRegional Public Transportation Feasibility Study (Feasibility Study) that identifies a plan to provide public transit services connecting stops in Staunton, Fishersville, Waynesboro, Charlottesville and Albemarle County with eight daily trips on Mondays through Fridays; and

WHEREAS, the Feasibility Study's recommended services estimate a removal of at least 21,000 single occupant vehicle trips per year from the corridor travel; and

WHEREAS, the cost to run this service from Fiscal Year 2021 through Fiscal Year 2024 is estimated at \$1,145,297, which includes a required local match of \$209,058 for this period; and

WHEREAS, each of the local governments and the University of Virginia are being requested to provide a portion of the required local match; and

WHEREAS, the City of Charlottesville's portion of the required match is a total of \$17,437 over the Fiscal Years 2021 through 2024; and

WHEREAS, the Charlottesville City Council recognizes the need to reduce single occupant vehicles within the Interstate 64 corridor reducing carbon emissions, reducing traffic congestion and destination parking, improving travel times and improving traffic safety.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, and general welfare, the Charlottesville City Council hereby supports the recommended Afton Express Transit Service Plan; and

BE IT FURTHER RESOLVED THAT the Charlottesville City Council supports the total contribution of \$17,437 toward the local match to provide the Afton Express Transit Services for Fiscal Years 2021 through 2024.

- f. **ORDINANCE:** Amending Sec. 2-5 of Chapter 2 of the Code of the City of Charlottesville - Financial disclosure by certain officers and employees (2nd reading)

**AN ORDINANCE AMENDING SECTION 2-5 OF CHAPTER 2 (ADMINISTRATION).
Financial disclosure by certain officers and employees.**

Ms. Walker opened the floor for public comment on the consent agenda. No one came forward to speak.

On motion by Ms. Hill, seconded by Mr. Snook, Council by the following vote APPROVED the Consent Agenda, pulling Item “b” for a separate vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

- b. APPROPRIATION: Human Services Fund Balance for PACEM (People And Congregations Engaged in Ministry) Transportation Costs - \$20,000 (2nd reading)

Mr. Payne asked to remove this item from the Consent Agenda, referencing a conflict of interest as an employee of PACEM.

APPROPRIATION

Department of Human Services Fund Balance for PACEM Transportation Costs \$20,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of up to \$20,000 in department fund balance, is hereby appropriated in the following manner:

Revenues - \$20,000

Fund: 213 Cost Center: 3411001000 G/L Account: 498011

Expenditures - \$20,000

Fund: 213 Cost Center: 3411001000 G/L Account: 599999

This item was pulled from the Consent Agenda for a separate vote at the request of Mr. Payne, whose statement of Conflict of Interest is on file with the Clerk of Council. On motion by Ms. Hill, seconded by Mr. Snook, Council by the following vote APPROVED the resolution: 4-0-1 (Ayes: Hill, Magill, Snook, Walker; Noes: none; Abstentions: Payne).

Special Announcement:

Ms. Walker called Dr. Denise Bonds, Health Director of Thomas Jefferson Health District, forward to give an update on Novel Coronavirus (2019 nCoV). Dr. Bonds shared current information and projections, and advised residents to reference the following resources for more information: Virginia Department of Health, Centers for Disease Control, and the World Health Organization.

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

City Manager Tarron Richardson advised that staff is working within the next few weeks to address the issue raised about lights and flags in front of the Police Department.

COMMUNITY MATTERS:

Ms. Valerie Long, representing Avon Court, LLC, asked Council not to move forward with the Strategic Investment Area (SIA) item on the agenda. They feel that it is not ready to move forward and she listed several reasons.

Mr. Lucas Critzer, Charlottesville resident, spoke about the Police Civilian Review Board, and the need for police accountability and transparency.

Ms. Kathleen Galvin, Charlottesville resident, spoke in support of form-based code and rezoning of the SIA.

Mr. Kyle Chatteleton, PhD student at University of Virginia, shared information about his dissertation work that he has been doing in relation to Charlottesville's response after the 2017 Summer of Hate. His comments for this meeting were related to sound-related elements. He advised that he plans to present various aspects of his work at future Council meetings.

Ms. Jackie Martin with Sentara Martha Jefferson, presented the MAPP2Health report for 2019, and highlights of the MAPP health needs assessment, including equity-based information and community data. March 25 MAPP celebration for the community. She thanked Ms. Walker for being the 2019 Council representative and welcomed Ms. Magill as the representative for 2020. She shared information about a MAPP community celebration event to be held on March 25 at 5:30 p.m. at the Jefferson School African American Heritage Center.

Ms. Elizabeth Stark, City resident, spoke about the Disproportionate Minority Contact report and she made recommendations based on how it pertains to the Police Civilian Review Board ordinance passed by Council in November 2019.

Mr. Ivan Khvatik spoke about the Disproportionate Minority Contact report and its relation to the Police Civilian Review Board ordinance passed by Council in November 2019. He asked for more measures to ensure that the police do not abuse their power.

Mr. Peter Krebs, citizen, spoke on behalf of the Piedmont Environmental Council. He shared support for the MAPP2Health program and report. He advised that the Bike Cville series has returned and the first ride will be held on February 22, encouraging bike safety, visibility, and camaraderie.

Mr. Downing Smith, resident near Locust Avenue, spoke about white paint that appeared in his and his neighbors' yards over the weekend. He was told that the engineering department

was mapping a route for a new water utility line and expressed frustration with a lack of communication about the project.

- Ms. Walker advised that Dr. Richardson would follow up.

Ms. Emily Little, Charlottesville resident, spoke about climate change and thanked Council for signing the “We Are Still In” letter. She asked Council to look at every decision through a climate lens.

Ms. Liz Russell, speaking on behalf of Preservation Piedmont, made several recommendations which were sent in electronically to Council regarding the form-based code rezoning item on the agenda. She asked that the text be amended to eliminate unnecessary complications.

Ms. Gloria Beard, City resident, asked about a snow removal program for the elderly, the potential for tax increases, about an arcade for the children, and street crossing times not being long enough. She also spoke in support of the Home to Hope program.

Ms. Diane Hillman, President of the Board of Directors of Congregation Beth Israel, spoke about the Hebrew Cemetery and concerns about the current and proposed rezoning that would potentially change aesthetics and the tranquil environment of the space.

Mr. Gaylord Johnson, Charlottesville resident, spoke about the lack of upkeep at Oakwood cemetery, and drainage issues causing the property to wash away.

Ms. Emerald Young, County resident, spoke about the Disproportionate Minority Contact report.

Ms. Tanesha Hudson spoke about rising real estate assessments and the housing market effects of development and the tech industry bringing higher paying jobs to the area.

The meeting recessed at 7:52 p.m.

The meeting reconvened at 8:09 p.m.

2. PUBLIC HEARING/APPROPRIATION: Year-end appropriations (2nd reading)

Finance Director Chris Cullinan summarized the year-end appropriations report, including updates that were made following the January 21, 2020, first reading and the Council Budget Retreat.

On motion by Ms. Magill, seconded by Mr. Payne, and following discussion, Council by the following vote APPROVED amending the year-end appropriations for consideration during the public hearing: 4-1 (Ayes: Hill, Magill, Payne, Walker; Noes: Snook).

Mr. Snook spoke against moving year-end funds to the operating accounts, particularly \$130,000 to the Emergency Assistance Program Support.

Mr. Payne advised of an immediate need for the Emergency Assistance Program funding.

Ms. Hill voiced support for allocating funds to the Emergency Assistance Program, but relayed concerns about the amount.

Ms. Walker explained that the requested funds for the program had previously not been granted, and the funds from the year-end appropriation would fill an immediate need for people who are struggling. She advised that there has not previously been advocacy on staff's behalf for the funding.

Ms. Walker opened the Public Hearing:

Mr. Tom Gallagher suggested that Council carry forward the FY 2019 surplus to the FY 2021 budget.

Ms. Nancy Carpenter, City resident and administrator for the Emergency Assistance Program, spoke in favor of \$130,000 in funds going toward the Emergency Assistance Program.

Ms. Walker closed the public hearing.

On motion by Ms. Magill, seconded by Mr. Payne, Council by the following vote ADOPTED the year-end appropriations, as amended: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

FY 2019 Year End Appropriation

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the actions hereinafter set forth are herein authorized with respect to the accounts of the City listed herein, for the fiscal year ended June 30, 2018. The memo to Council dated February 3, 2020 is hereby made part of this appropriation.

General Fund (105).

(a) Departmental Appropriations.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year:

20141.	Citizen's Review Board.	\$50,000.
1631001000.	Citywide Reserve.	\$708,766.
1611001000.	Communications Department.	\$18,500.
2041001000.	Assessor's Office.	\$29,000.
3101001000.	Police Department.	\$96,000.

1011001000. Council Reserve.	\$300,000.
9743028000. Emergency Asst. Program Support.	\$130,000.
3111001000. Police Department – CIT.	\$23,536.

Total Section 1 (a). \$1,355,802.

(b) Additional Transfers and Appropriations.

9803030000. Transfer to Retirement Fund.	\$1,800,000.
9803030000. Transfer to Capital Projects Fund (Comp. Study).	\$1,250,000.
9803030000. Transfer to Capital Projects Fund (AP Software).	\$247,000.
9803030000. Transfer to Capital Projects Fund (CAHF).	\$700,000.
9803030000. Transfer to Capital Projects Contingency Fund.	\$500,000.

Total Section 1 (b). \$4,497,000.

Facilities Repair Fund (107).

- Courthouse Maintenance (P-00099) - \$20,908 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$25,586 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

Grants Fund (209).

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$924 – these funds will be used for additional qualifying State Fire Grant expenditures (1900010).

Capital Projects Fund

- Charlottesville-Albemarle Rescue Squad (CARS) EMS Equipment Fund - \$83,423 – These funds represent the unspent contingency funds required as part of the Memorandum of Understanding and will be carried over from the General Fund to this account and used to fund equipment for the Charlottesville-Albemarle Rescue Squad (CARS).

- Compensation Study - \$1,250,000 (P-01032) - These funds will be used to commission a citywide Compensation study as discussed by staff and City Council during the F.Y. 20 budget discussions.
- Accounts Payable Automation Project - \$247,000 (P-01033) - Software will be purchased to automate the City's account payables process resulting in Citywide efficiency improvements.
- Charlottesville Affordable Housing Fund (CAHF) - \$700,000 (CP-084) – These funds will be transferred to the Charlottesville Affordable Housing Fund (CAHF).

3. ORDINANCE: a) Establishing new form-based zoning regulations (carried); b) Amending the City's official zoning map to define boundaries of a new zoning district, "DE-SIA" and to classify land within the DE-SIA into three sub-classifications (Deferred)

Mr. Brian Haluska, Principal Planner, presented the item, sharing background of the form-based code public engagement process, the Planning Commission report which was forwarded without recommendation but with comments on the text and map, and staff's desire to hear Council's intent.

City Attorney John Blair advised against adopting the zoning text and map separately. He shared that staff could make Zoning Text Amendment changes, present them to the consultants and come back to Council.

Mr. Haluska advised of an upcoming call with the consultants. He answered several questions from Councilors and requested direction from Council for moving forward, as the report came from the Planning Commission without a recommendation.

Mr. Blair clarified options for next steps and advised of pending legislation in the General Assembly that could affect affordable housing options and how form-based code is evaluated.

On motion by Ms. Magill, seconded by Ms. Hill, Council by the following vote DEFERRED action by Council and referred to the Planning Commission the Zoning Text Amendments and Zoning Map Amendments: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

Mr. Payne expressed concern about the future of this process and what type of feedback can be expected from the consultants.

Council had no objections to the fourteen text and map-related concerns presented.

Mr. Blair reminded Council of a February 20, 2020, land use and zoning worksession.

4. Comprehensive Signage Plan for Dairy Central (Phase I)

Mr. Jeff Werner, Preservation and Design Planner, presented a summary of the item, with staff recommending approval.

Mr. Payne made comments on the mural, which would face the 10th and Page Street neighborhood, explaining that neighbors have expressed concerns that the mural does not fit with the neighborhood. He advised that he does not support the submitted mural, but would support community engagement to find an appropriate mural.

Ms. Walker made comments about the perceived long-term negative impact of the Dairy Central project. She also expressed concerns about disparities in the signage approval process for certain types of business owners.

Ms. Magill advised that the item was presented at the neighborhood association meeting for input.

Mr. Werner advised that the required letters were sent to neighboring properties.

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote APPROVED the resolution: 3-2 (Ayes: Hill, Magill, Snook; Noes: Payne, Walker).

RESOLUTION APPROVING COMPREHENSIVE SIGNAGE PLAN FOR DAIRY CENTRAL EXTERIOR SIGNAGE PLAN DATED DECEMBER 17, 2019

WHEREAS, the Charlottesville Board of Architectural Review reviewed a Comprehensive Signage Plan for the Dairy Central Phase I mixed use development at 946 Grady Avenue (hereinafter “the Property”) on November 19, 2019; and

WHEREAS, the Board of Architectural Review recommended approval of the Comprehensive Signage Plan with modifications; and

WHEREAS, a new Comprehensive Signage Plan was submitted for the Property on December 17, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the December 17, 2019 Comprehensive Signage Plan for the Property submitted to the Department of Neighborhood Development Services is hereby approved pursuant to Charlottesville City Code Section 34-1045.

BE IT FURTHER RESOLVED that the Council of the City of Charlottesville, Virginia finds that good cause exists to deviate from Chapter 34, Article IX, Division 4 of the Charlottesville City Code.

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, Virginia that the Comprehensive Signage Plan will serve the public purposes and objectives set forth within Charlottesville City Code Section 34-1021 as well, or better, than the signage that would otherwise be permitted for the Property.

5. Report of the Study of Disproportionate Minority Contact in the Adult Criminal Justice System

Ms. Kaki Dimock, Director of Human Services, representing the research and planning team for the Disproportionate Minority Contact in the Adult Criminal Justice System report, provided a summary of the background leading to the report. She iterated that the data is incomplete and the project would be a seven to ten year process, requiring additional resources.

The consultants reviewed various points of disparity.

Mr. Fred Seaman, Executive Director of MGT Consulting Group, advised that the issues represented in the report are not isolated to Charlottesville.

Mr. Reginald Smith, MGT Consultant, shared information about the research process. He gave a comparison between the terms “disproportionality” and “disparity” in relation to the charge for this project, with disparity indicating different treatment solely because of race. Disparity indicated that events did not happen by chance.

Mr. Andre Spinaldi, MGT Statistician, spoke about the data. He advised that the consultants cannot conclude what is happening, but the disparity data is statistically significant enough to warrant investigation. He also advised that the data was collected regionally rather than splitting the data between Charlottesville and Albemarle County.

The consultants spoke about anecdotal data and perceptions, key findings, and the following recommendations:

- Increase and support meaningful re-entry programs
- Increase transparency of City and County police departments
- Develop, encourage and support special initiative programs
- Increase diversity in law enforcement
- Adopt programs that are alternatives to incarceration
- Provide additional training opportunities for law enforcement staff and other actors in the criminal justice system
- Review best practices from other municipalities addressing similar issues
- Increase access to data and increase data collected at each decision point in the criminal justice map
- Conduct additional research and build upon the findings and recommendations of this study

Councilors asked questions of Ms. Dimock and the consultants. Ms. Walker noted that those in the community who have the lived experience did not need the report to know that there is a disparity issue.

Mr. Neal Goodloe with the Community Criminal Justice Board came forward to answer a question about various types of bonds.

Councilors asked about next steps and who should be at the table moving forward, how to ensure a fully functioning Police Civilian Review Board, and what staffing is needed to enact change across City departments.

Ms. Walker asked questions about the County's involvement and how their involvement may have affected research for the City of Charlottesville data.

Ms. Dimock advised that staff and MGT need time to debrief about what went right and what went wrong, and to check in with the community for feedback. She advised that she would check with the planning team for possibly bringing an update to Council in late April, as well as consideration of a future worksession.

OTHER BUSINESS:

Ms. Hill referenced that the Council strategic planning process would be moving forward with individual meetings with a consultant.

MATTERS BY THE PUBLIC:

Mr. Jeff Fogel spoke about the Disproportionate Minority Contact report and the need to speak about systemic racism. He advised that the recommendations did not address the problem that was proposed regarding racial disparity.

Mr. Harold Folley, City resident and organizer for the Legal Aid Justice Center, spoke about the Disproportionate Minority Contact report. He asked about revisiting the original proposed governing documents for the Police Civilian Review Board, and advised of distrust for Council following through with allowing the board to be effective.

- Ms. Walker provided clarification of the Executive Director position for the Police Civilian Review Board, the pending appointment of the new Civilian Review Board, and next steps
- Ms. Walker, Mr. Payne, and Mr. Snook made further comments. Councilors discussed a desire to attached names with adverse actions. Ms. Dimock guarded against linking names for the Disproportionate Minority Contact report.

Ms. Katrina Turner spoke about the Initial Civilian Review Board bylaws submitted, and advised that Council's adoption of amended Police Civilian Review Board bylaws took away the ability for the board to be effective.

Ms. Joy Johnson, City resident, spoke against the proposed park at 8th and Hardy Streets. She also spoke about root causes for people being incarcerated. She advised that besides racism, money is a root cause for keeping people in the criminal justice system. She advised that implicit bias training should be mandatory for City staff and others who serve people.

Mr. Brad Slocum spoke about the need to be direct in calling things what they are such as racism, anti-Semitism, and identifying people who perpetuate disparate behavior.

The meeting adjourned at 11:18. p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

FY 2021 City Council Budget Work Session
CITY SPACE
February 6, 2020, 5:00 p.m.

The Charlottesville City Council met on this date at CitySpace, 100 5th Street NE, with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Ms. Heather Hill, Mr. Michael Payne and Mr. Lloyd Snook.

Ms. Walker called the meeting to order at 5:02 p.m. and turned the meeting over to City Manager Tarron Richardson to discuss the budget.

Dr. Richardson introduced the budget team of Mr. Ryan Davidson, Ms. Krisy Hammill and Ms. Letitia Shelton. He then gave an overview of the budget development process.

Mr. Davidson provided a breakdown of Council Equity Fund expenditures, as requested. He reviewed the calendar for upcoming budget worksessions, advised of additional important dates, and advised of FY2021 estimated revenues.

Ms. Hammill reviewed budget challenges and answered Council questions.

Ms. Walker reviewed her budget recommendations.

Commissioner of the Revenue Todd Divers shared information about the Charlottesville Home Affordability Program (CHAP).

Mr. Davidson reviewed the community agency funding program and presented two potential funding scenarios for Council to consider. Ms. Kaki Dimock, Human Services Director, shared additional information about changes to the agency funding program. Councilors agreed on funding scenario one.

Council discussed whether to advertise a consideration of a real estate tax increase for purposes of meeting a 30-day public hearing advertising deadline. Councilors expressed a desire to not increase the real estate tax rate, but wanted flexibility to continue budget discussions, and agreed to advertise a potential rate increase of two cents.

Mr. Payne expressed thoughts on how the budget information is presented and the desire to have more information to make specific decisions. He advised that staffing levels should be considered for addressing City priorities.

Ms. Walker opened the floor for public comment.

Mr. Jay Dorsey, Charlottesville firefighter and member of Local Union 2363, spoke about the lack of medic-level ambulances available to serve the City. He asked for no further cuts to the Fire Department budget and to allocate funds for additional positions.

- Ms. Walker clarified that there have been no cuts made to the budget.

Mr. Greg Wright, Charlottesville Fire Department medic and President of Local Association of Firefighters, spoke about the need for medic-level ambulances to serve the citizens of Charlottesville. He requested nine new fully funded positions for the Fire Department.

- Dr. Richardson advised of the need to have conversations about appropriate staffing and possible redistribution of personnel to respond to calls appropriately.

Mr. John Gaines, resident, spoke in support of the firefighter requests and shared ideas for tax saving measures. He suggested using funds for keeping cooling shelters open, services for the disabled and elderly, affordable housing funds and home assistance, and supporting Habitat for Humanity. He spoke in support of fully funding the schools request while holding them accountable. He also asked for reopening the discussion on Vinegar Hill and increase public use of the bus system by providing free transportation.

Ms. Sheila Hurley, City resident and member of IMPACT (Interfaith Movement Promoting Actions by Congregations Together), spoke in support of funding for the Charlottesville Affordable Housing Fund.

Mr. Peter Krebs, representing the Piedmont Environmental Council, spoke about connectivity. He requested funding for sidewalks, bicycle infrastructure, and trails development.

Mr. Court Hammond, City resident, echoed Mr. Krebs' comments in support of multimodal transit.

Mr. Andy Orban, resident, spoke in support of fully funding the schools request. He expressed concern about the building of a new parking garage. He spoke of the importance of the Human Rights Office and the need to fully staff it with the departure of Manager Charlene Green.

Mr. Walt Heinecke, City resident, spoke in support of funding a position to evaluate efficiency. He also spoke in support of funding the Charlottesville Affordable Housing Fund. Regarding the Police Civilian Review Board, he requested 1% of the Police Department budget and funding the two requested positions. Regarding the Human Rights Commission, he asked for funding to hire a Civil Rights Attorney or Director of Compliance for the Office of Civil Rights to investigate employment and housing discrimination, allowing the Commission full enforcement and compliance capability. He mentioned setting up a strike fund for housing.

Mr. Tom Ecklund, with IMPACT, spoke in support of funding the Charlottesville Affordable Housing Fund and opportunities for purchasing land and building affordable housing.

Ms. Shymora (last name not stated), City resident and Habitat for Humanity homeowner, spoke in support of funding the Charlottesville Affordable Housing Fund to support lower income families and help the homelessness issue.

Ms. Walker closed public comment.

Ms. Walker advised that Council needs to see City Department budget line items before determining how to fund the Schools request. She advised that the Cost of Living Adjustment for City staff and Schools staff should be in parity. Schools requested a 3% increase, and the current City budget includes a 2% increase.

Mr. Davidson added that departmental budget were not cut, but not all of the requests above baseline could be funded.

Mr. Payne expressed the need to increase teacher salaries.

Dr. Rosa Atkins, Charlottesville City School Superintendent shared information about teacher salaries and challenges with compensating teachers fairly relative to neighboring localities.

Mr. Payne expressed concerns about progressive taxation and limits based on General Assembly decisions.

The meeting was adjourned at 7:40 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

February 11, 2020
Charlottesville City Council Special Meeting

A special meeting of the Charlottesville City Council was held on Tuesday, February 11, 2020, at 1:00 p.m. in the City Hall Basement Conference Room, City Hall, 605 E. Main Street, Charlottesville, Virginia.

The meeting was called to order at 1:03 p.m. with the following members present: Vice Mayor Sena Magill, Ms. Heather Hill and Mr. Lloyd Snook. Mayor Nikuyah Walker and Mr. Michael Payne arrived at 1:05 p.m.

On motion by Ms. Hill, seconded by Mr. Snook, Council voted 3-0 (Ayes: Hill, Magill, Snook. Noes: None. Absent: Payne, Walker) to meet in closed session as authorized by Va. Code Sections 2.2-3711 and 2.2-3712, specifically:

- as authorized by Virginia Code Section 2.2-3711(A)(1) for the interviewing, discussion and consideration of appointing members to the Charlottesville Police Civilian Review Board.

On motion by Ms. Hill, seconded by Mr. Snook, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: None), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting was adjourned at 4:33 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

February 12, 2020
CITYSPACE, 100 5th St NE
12:00 p.m.

On Wednesday, February 12, 2020, from 12:00 p.m. to 1:30 p.m., by invitation, new members of the Charlottesville City Council participated in the quarterly meeting of the Charlottesville Area Development Roundtable (CADRe) at CitySpace, 100 5th St NE, Charlottesville, VA 22902.

The meeting was called to order at 12:10 p.m. by Ashley Davies, CADRe Chair.

The meeting consisted of networking, discussion of CADRe mission and initiatives, and discussion with City Councilors Sena Magill, Michael Payne and Lloyd Snook, before the meeting wrap-up.

Mr. Snook provided a disclaimer that Councilor comments are reflective of individuals and not on behalf of Council as a whole.

Councilors provided responses to the following questions:

1. The approval process is expensive and time-consuming, adding directly to the total development costs and ultimate housing prices. How can City Council improve the current dysfunctional, inefficient and costly process?
2. How can Council and CADRe most effectively work together to increase the supply of housing in the City? What technical support from CADRe members do you believe Council will most benefit from as the City explores policy options for increasing housing affordability in the City?
3. How important is the business segment & economic development to your vision for our city?
4. The city is currently struggling with inclusivity and equity of public comment. Often only the loudest voices are heard. What are your ideas regarding better ways to receive, weigh and incorporate public comment from a wider audience and more diverse perspectives?

The meeting adjourned at 1:25 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

February 18, 2020
Charlottesville City Council Special Meeting

A special meeting of the Charlottesville City Council was held on Tuesday, February 18, 2020, at 5:00 p.m. in the City Hall Second Floor Conference Room, City Hall, 605 E. Main Street, Charlottesville, Virginia.

The meeting was called to order at 5:06 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Ms. Heather Hill and Mr. Lloyd Snook. Mr. Michael Payne arrived at 5:10 p.m.

On motion by Ms. Hill, seconded by Mr. Snook, Council voted 4-0 (Ayes: Hill, Magill, Snook, Walker. Noes: None. Absent: Payne) to meet in closed session as authorized by Va. Code Sections 2.2-3711 and 2.2-3712, specifically:

- as authorized by Virginia Code Section 2.2-3711(A)(1) for the discussion, interviewing, and consideration of appointing members to the following Charlottesville board: Police Civilian Review Board; and
- pursuant to Virginia Code Section 2.2-3711(A)(1) for the discussion of the performance of a specific employee of the Charlottesville Fire Department; and
- pursuant to Virginia Code Section 2.2-3711(A)(3) for the discussion of the disposition of real property located on East Main Street in Charlottesville Virginia where the discussion in open session would adversely affect the negotiating position of the City of Charlottesville; and
- pursuant to Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel from the City Attorney's Office concerning the discussion of a contract and legal options related to the contract as well as a special events permit.

On motion by Ms. Hill, seconded by Mr. Snook, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker. Noes: None), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting was adjourned at 6:45 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY COUNCIL REGULAR MEETING
Tuesday, February 18, 2020
Council Chamber
6:30 p.m.

The Charlottesville City Council met in regular session on February 18, 2020, with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Ms. Heather Hill, Mr. Michael Payne, and Mr. Lloyd Snook.

Ms. Walker called the meeting to order at 6:48 p.m. and advised that the closed meeting went longer than expected.

Ms. Walker announced the March 6th application deadline for the next round of boards and commissions appointments, and she encouraged everyone to participate in honoring Black History Month.

Ms. Magill announced Liberation and Freedom events coordinated by the Jefferson School African American Heritage Center the week of March 1-8.

PROCLAMATIONS:

- 1) Ms. Hill read the League of Women Voters Centennial proclamation. Ms. Pat Cochran and members of the League of Women Voters of the Greater Charlottesville Area were present to accept. Ms. Cochran made remarks.
- 2) Ms. Walker read the proclamation for Same Page 2020 – Brown Girl Dreaming, and presented it to Ms. Krista Ferrell, who shared copies of the book with City Council and the City Manager.

Ms. Walker announced that a request for Freedom and Liberation Day would be considered during Other Business.

BOARD APPOINTMENTS:

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote APPOINTED the following individuals to the Police Civilian Review Board: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None):

- Gwendolyn Allen
- Nancy Carpenter
- Stuart Evans
- Diedre Gilmore
- Dorenda Johnson
- William Mendez
- James Watson

One seat remains vacant pending appointment of a non-voting member with law enforcement experience.

CONSENT AGENDA:

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

- a. MINUTES: January 6, 2020 Regular meeting; January 21, 2020 Special and Regular meetings; January 23, 2020 Council Budget Retreat; January 24, 2020 Council Retreat
- b. APPROPRIATION: Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 - \$25,072 (1st of 2 readings)
- c. APPROPRIATION: Byrne/JAG – Youth Engagement Programs Grant- \$99,291 (1st of 2 readings)
- d. RESOLUTION: Support for South 1st Street Phase 2 Redevelopment (1 reading)

**RESOLUTION
Financial Resolution Supporting South 1st Street
Parcel Number: 260115000**

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Charlottesville, Virginia hereby commits up to \$3,000,000 in the form of grants for the redevelopment of South 1st Street Phase 2. The commitment of up to \$3,000,000 will help to subsidize this project which in turn will create approximately 113 new or replacement affordable housing units in the City of Charlottesville. This commitment is currently programmed into the City of Charlottesville’s Capital Improvement Program over a two-year period beginning on July 1, 2020 and concluding on June 30, 2022. This commitment will be made to Charlottesville Redevelopment and Housing Authority.

- e. RESOLUTION: Adoption of Council meeting rules and procedures as amended (1 reading)

**RESOLUTION APPROVING AMENDMENTS
TO THE CHARLOTTESVILLE CITY COUNCIL’S MEETING RULES AND
PROCEDURES**

WHEREAS, the Charlottesville City Council adopted Meeting Rules and Procedures on February 16, 2016; and

WHEREAS, Section 12 of the Charlottesville City Charter permits the Charlottesville City Council to adopt rules for its internal governance; and

WHEREAS, the Charlottesville City Council wishes to amend its Meeting Rules and Procedures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that it hereby adopts the amendments to its Meeting Rules and Procedures as presented.

- f. RESOLUTION: Commonwealth’s Attorney Summer Law Clerk – Transfer of Funds \$12,000 (1 reading)

RESOLUTION
Commonwealth’s Attorney Summer Law Clerk – Transfer of Funds
\$12,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that funding from the City Council Strategic Initiatives account is transferred to the Commonwealth Attorney’s budget for the summer law clerk internship position in the following manner:

Transfer From:

\$12,000 Fund: 105 Cost Center: 1011001000 G/L Account: 599999

Transfer To:

\$12,000 Fund: 105 Cost Center: 1401001000 G/L Account: 519999

- g. RESOLUTION: Refund of Tax Payment to Transient Occupancy Tax Taxpayer - \$164,618.53 (1 reading)

RESOLUTION
AUTHORIZING REFUND TO TRANSIENT OCCUPANCY TAX FILER OF
TRANSIENT OCCUPANCY TAX PAID FOR 2017-2019
\$164,618.53

WHEREAS, the Commissioner of the Revenue has determined that a transient occupancy tax payer filed amended returns; and

WHEREAS, the transient occupancy taxes for calendar years 2017-2019 were paid on time and as filed; and

WHEREAS, the Commissioner of the Revenue has certified that a refund of taxes paid and interest is due in the amount of \$164,618.53; and

WHEREAS, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$2,500.00;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of \$164,618.53 to the transient occupancy taxpayer.

- h. **ORDINANCE:** Proposed Amendment to City Code Section 15-435 (b) – vehicle immobilization rates (1st of 2 readings)

This item was pulled at the request of Ms. Walker for a separate vote.

Ms. Walker opened the floor for public comment on the Consent Agenda. There were no speakers.

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote **APPROVED** the Consent Agenda, pulling Item “h” for a separate vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote **APPROVED** Item “h”: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

Dr. Richardson shared updates for the following items:

1. Regarding a concern about lack of communication surrounding waterline replacement, he advised that the plan of action is to place door hangers when proposing water construction;
2. Regarding the crosswalk at Main St at 10th and Roosevelt Brown, the Engineer inspected the area and found it to be in compliance.
3. Regarding Oakwood Cemetery drainage, work is ongoing to identify solutions.

COMMUNITY MATTERS

Mr. William Atwood spoke about affordable housing to try to get the public sector involved. He shared a handout.

Mr. Avery Chenoweth, County resident, spoke on behalf of an individual wishing to purchase the local Confederate statues and remove them from the City of Charlottesville public space. He asked to arrange a phone call.

Ms. Tanesha Hudson spoke about equity and the need to focus on Parks and Recreation, specifically about AAU (Amateur Athletic Union) teams having to rent space. She asked Council to consider who has access to these spaces most. She also spoke about the slave auction block and the need to share a new narrative about race and honor a more full historic picture.

Mr. Greg Wright, President of the Charlottesville Professional Firefighters Union, shared concerns about staffing to cover calls for an increasingly stressed Emergency Management System transport system. He requested funding for nine Fire Department positions.

Ms. Rosia Parker, City resident, spoke about a criminal case involving Mr. Cyrus Tyree as the victim. She spoke about the slave auction plaque and her previous requests to City Council. She spoke about the City's use of cameras near certain neighborhoods, and the concern of being over-policed. She thanked Council for a proposed new park.

- Ms. Walker responded with information about a Memorandum of Understanding for the Charlottesville Redevelopment and Housing Authority (CRHA).
- Mr. Payne asked a general question about the use of cameras in law enforcement.

Mr. Don Gathers asked Council's stance on the Disproportionate Minority Contact report. He spoke in support of the firefighter request for personnel. He supported Ms. Parker's request for information about camera use. He also highlighted the Liberation and Freedom Week activities. He spoke about the Blue Ribbon Commission report to raise a meaningful monument for the slave auction block.

- Ms. Walker advised of a final meeting in April to discuss the Disproportionate Minority Contact report.

Ms. Walker closed public comment.

2. RESOLUTION*: Sunrise Planned Unit Development (VHDA application by property owner)

City Attorney John Blair presented the request. He answered Council questions about income levels, the potential for building, and affiliation with Habitat for Humanity.

On motion by Ms. Hill, seconded by Mr. Snook, Council by the following vote APPROVED the resolution: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

Ms. Walker expressed concerns about this item not going through the Planning Commission. Mr. Blair confirmed that this resolution is of financial nature only and would not

be required to go through the Planning Commission. Ms. Walker was also concerned about the project not meeting affordable housing needs.

RESOLUTION

WHEREAS, the City Council of the City of Charlottesville desires to make the determination required by Section 36-55.30:2(B) of the Code of Virginia, 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed housing development project proposed by Sunrise Cville LLC within the Sunrise Planned Unit Development in Charlottesville, Virginia (the “Project”),

NOW, THEREFORE, BE IT RESOLVED THAT the Charlottesville City Council hereby finds and determines that:

(1) The ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units within the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and

(2) Private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in the area.

3. REPORT: Trolley pilot study

Mr. Garland Williams, Director of Charlottesville Area Transits, presented the report regarding the trolley pilot detour study which started on October 6, 2019. He advised that the trolley is not the proper solution to a permanent route for serving Midway Manor. He advised of leaving the trolley on the route temporarily while working with a consultant to find a permanent solution, with a proposal potentially being presented May 12, 2020.

Mr. Williams answered questions from Councilors about parking, effects of construction on ridership, and specific data points.

The meeting recessed at 7:46 p.m.

The meeting reconvened at 8:08 p.m.

4. REPORT: United Way oral presentation

Ms. Ravi Respeto, United Way of Greater Charlottesville President, presented the report highlighting the organization’s vision and mission to address issues of financial stability, school readiness, and a connected community.

5. REPORT: Office of the City Assessor overview

City Assessor Jeffrey Davis presented a report about the real estate appraisal process. He shared information about Board of Equalization training, which is part of the State judicial system, and advised that the Code of Virginia requires properties to be appraised annually at 100% of fair market value. He indicated that 15,606 parcels were evaluated this past year, including 51 residential neighborhoods and 21 commercial neighborhoods for assessment purposes.

Mr. Davis shared information about steps in the appraisal appeal process and advised that appraisal work follows the market and does not set the market. He advised that there are approximately 150 appeals per year, with adjustments being made on approximately 40% of those properties, as appraisals are generally based on grouping of neighborhoods.

6. REPORT: Office of Human Rights/Human Rights Commission report

Ms. Shantell Bingham presented the Human Rights Commission report.

Mr. Todd Neimeier presented the Office of Human Rights report and shared a handout with data details.

Ms. Charlene Green expressed the following needs: 1) sufficient staffing to do quality work, 2) the City to be cognizant of where and how the City is present during conversations about equity, 3) to not forget the work that has been done and positive impacts through the years, and the connections among those engagements.

At the request of Ms. Bingham, Council discussed designating a worksession to discuss the future of the Human Rights Commission and Office of Human Rights.

OTHER BUSINESS

- 1) Ms. Hill spoke about the Court Square Marker Subcommittee and shared information about the Historic Resources Committee (HRC) recommendation to place a temporary marker where the Slave Auction Block marker had been removed. A letter was emailed to Councilors earlier in the day. The temporary marker would be in place for a couple of years until a more permanent solution is determined. Councilors agreed that the HRC subcommittee could go forward with researching proposals for a temporary marker, including the language to be used.
- 2) Ms. Walker introduced a request for funding of \$3,425 from the Jefferson School African American Heritage Center for its Liberation and Freedom Week activities, supplementing funding already received from other entities. A decision would need to be made at this Council meeting because of the timing of activities.

Ms. Andrea Douglas came forward to share information about the week-long schedule of events.

On motion by Ms. Magill, seconded by Mr. Snook, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

**RESOLUTION ALLOCATING \$3,425
FROM THE CITY COUNCIL STRATEGIC INITIATIVES FUND
TO JEFFERSON SCHOOL AFRICAN AMERICAN HERITAGE CENTER
IN FISCAL YEAR 2020**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$3,425.00 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund in support of the Jefferson School African American Heritage Center's Liberation and Freedom Day programming from March 1 to March 8, 2020.

\$3,425

Fund: 105

Cost Center: 1011001000

- 3) Ms. Hill shared that there would be no Strategic Planning Retreat February 27-28. Ms. Walker advised that because of scheduling conflicts, she is considering dates in May.
- 4) Ms. Hill asked about an agenda for the Land Use worksession scheduled for February 20. Mr. Blair shared information about the proposed agenda.

MATTERS BY THE PUBLIC

Ms. Walker opened the floor for public comment. With no one coming forward to speak, the meeting adjourned at 9:46 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY COUNCIL WORKSESSION
Monday, February 20, 2020
Water Street Conference Center
407 East Water Street
5:00 p.m.

The Charlottesville City Council met in worksession on February 20, 2020, at the Water Street Conference Center, 407 East Water Street, with the following Councilors present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Ms. Heather Hill, Mr. Michael Payne and Mr. Lloyd Snook.

Ms. Walker called the meeting to order at 5:08 p.m.

City Attorney John Blair made opening remarks and turned the meeting over to Mr. Brian Haluska, Principal Planner with the City of Charlottesville. Ms. Lisa Robertson, Chief Deputy City Attorney, served as moderator for the worksession.

Ms. Walker interjected with an announcement about a closed session at the end of the meeting to discuss terms for the Civilian Review Board members.

Mr. Haluska gave an overview of the relationship between Zoning and affordable housing. He shared the following purpose of zoning:

- Zoning implements restrictions in order to promote the welfare, safety and convenience of the community; avoid overcrowding; accommodate adequate water, sewer, transportation facilities; promote affordable housing; etc.

Incentive zoning was discussed: allowing special benefits (above by-right parameters) in return for features, design elements, uses, services, or amenities desired by the community.

Mr. Haluska shared a list of zoning impacts on housing construction:

- o Minimum lot sizes
- o Density restriction
- o Restriction of types of residential buildings/structures
- o Restriction on number of dwellings or bedrooms
- o On-site parking requirements
- o Required yards/building setbacks
- o Lot fringe requirements

He advised that the conflict of zoning appears to be that City Council controls the types, size and locations of what can be developed in the City, but developers determine what will be developed.

Mr. John Sales, City Housing Program Coordinator, advised that he is following legislation related to affordable housing. He shared information about affordable housing

support and efforts 2010 to the present, and projections through 2025. He also shared items that are working and items that are not working,

Ms. Robertson, Mr. Sales, and Mr. Haluska recommended four items for immediate action:

- 1) Amend the Zoning Ordinance provisions, and add Charlottesville Affordable Housing Fund (CAHF) revolving loan program, to incentivize creation of a new Accessory Dwelling program throughout the City in more low density areas;
- 2) Adopt new Zoning Ordinance provisions, and add CAHF revolving loan program, to incentivize “missing middle” (Single Family Accessory, duplex, triplex, fourplex) – initially (near term) by means of renovation/alteration of existing structures throughout the City;
- 3) Adoption of an Ordinance to officially enact an Affordable Dwelling Unit Program, implementing all available local authority;
- 4) Restructure the housing advisory commission, transforming a 22-member policy advisory committee to a 10-member working Advisory Housing board, advisory to the Housing Coordinator. Specific areas of expertise on the board would include: real estate agent or broker; banker who finances City housing projects; engineer/architect; SFD developer from the Charlottesville-Albemarle area; MFD developer from the Charlottesville-Albemarle area; City planner; local non-profit service provider (homeless prevention, etc.); and two City residents from low-income community (one may be CRHA board member).

Councilors Magill and Payne spoke about the use of green retro-fitting and keeping climate and energy efficiency as a focus, as these items also impact equity.

Mr. Payne expressed hesitancy in eliminating the Housing Advisory Committee, advising of the need to maintain a policy advisory capacity outside of City staff, in particular for transparency to the public.

Ms. Walker expressed a need to address problematic issues quickly if the program is found to not be effective. She also advised that she would prefer for the Council member on the Housing Advisory Committee continue to work with the working group.

After further discussion from Council, Ms. Walker opened the floor for public comment.

Mr. Walt Heinecke, City resident and member of the Charlottesville Low Income Housing Coalition shared that there is a significant history of racism in zoning that needs to be corrected. He asked if there is a way to speed up the process for coming up with the equity housing strategy and the Zoning Code audit. He asked about Council setting up a land bank strike fund.

Mr. Navarre Bartz shared some of his experience in working on some of the ideas recommended by the panel. As a Soil and Water Director, he advised that getting rid of parking requirements is good for the environment, helping the flow-through of water.

With no one else coming forward to speak, Ms. Walker closed public comment.

Mr. Blair advised that staff could prepare a resolution for the March 2, 2020 City Council meeting. Councilors spoke in unanimous support of having the City Attorney's Office prepare the necessary resolution for referring the proposal to the Planning Commission for review.

Council continued discussion of maintaining the Housing Advisory Committee.

The meeting was adjourned at 7:41p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	February 18, 2020
Action Required:	Appropriation of Funding
Presenter:	Megan Arevalo, Budget Analyst, Charlottesville Police Department
Staff Contacts:	Megan Arevalo, Budget Analyst, Charlottesville Police Department Joe Hatter, Police Captain, Charlottesville Police Department
Title:	Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 - \$25,072

Background:

The City of Charlottesville, through the Police Department, has received approval for The U.S. Department of Justice, Office of Justice Program's Bureau of Justice Assistance 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$25,072 with no local match required.

Discussion:

The U.S Department of Justice (DOJ) provides funding for the Edward Byrne Memorial Justice Assistance Grant to assist state and local law enforcement with a broad range of activities. The Charlottesville Police Department will use the funding for enhancements to the Roll-Call room. JAG funds will be used to purchase a channelized Bi-Directional Amplifier (BDA) signal booster, three Smart TV/Interactive Whiteboards, a virtual desktop computer with multi-user access features and funding for accessories, cables and wiring.

Alignment with City Council's Vision and Strategic Plan:

This funding will support Goal 2 of the Strategic Plan, to be a safe, equitable, thriving, and beautiful community. It specifically supports Goal 2.1, to provide an effective and equitable public safety system.

Community Engagement:

N/A

Budgetary Impact:

This has no impact on the General Fund. These grant funds do not require a City match and will be expensed and reimbursed to a separate internal order in a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

If the appropriation is not approved, the department will not be able to proceed with the improvements to the Roll-Call Room.

Attachments:

Appropriations

APPROPRIATION

**2019 Edward Byrne Memorial Justice Assistance Grant (JAG)
Grant # 2019–DJ-BX–0775
\$25,072**

WHEREAS, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$25,072 to be used for approved law enforcement equipment.

WHEREAS, the grant award covers the period from period October 1, 2018 through September 30, 2022

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$25,072, received from the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance, is hereby appropriated in the following manner:

Revenue

\$ 25,072 Fund: 211 I/O: 1900348 G/L: 431110 Federal Grants

Expenditure

\$ 25,072 Fund: 211 I/O: 1900348 G/L: 525263 Law Enforcement Supplies

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$25,072 from the U.S. Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance.

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



Agenda Date:	February 18, 2020
Action Required:	Appropriation of Funding
Presenter:	Megan Arevalo, Budget Analyst, Charlottesville Police Department Brian Williams, Associate Professor of Public Policy, University of Virginia
Staff Contacts:	Megan Arevalo, Budget Analyst, Charlottesville Police Department Joe Hatter, Police Captain, Charlottesville Police Department
Title:	Byrne/JAG – Youth Engagement Programs - \$99,291

Background:

The City of Charlottesville, through the Police Department, has received approval for The U.S. Department of Justice, Office of Justice Program’s Bureau of Justice Assistance Byrne/JAG Youth Engagements Programs Award in the amount of \$99,921 with no local match required.

Discussion:

The U.S Department of Justice (DOJ) provides funding for the Edward Byrne Memorial Justice Assistance Grant to assist state and local law enforcement with a broad range of activities. The Charlottesville Police Department will use the funding for a Blue, Youth & U (BY&U) Engagement Project which is designed to facilitate positive relationships between secondary (middle and high school) and post-secondary (UVA students) students with police officers who serve the City of Charlottesville and the University of Virginia. In particular, participants will include officers from the Charlottesville Police Department, University of Virginia Police Department and students from Buford Middle School, Charlottesville High School and the University of Virginia.

The objective of the Blue, Youth & U Engagement Project is a listening and learning exchange where all participants will come to appreciate the perspectives of others and recognize and surmount historical, individual, society and institutional obstacles that negatively impact community policing efforts. Towards this end, the Blue, Youth & U Engagement Project is designed to explore, formulate, and implement a series of activities to encourage and enhance law enforcement engagement with secondary and post-secondary student and ultimately improve police-community relations.

Alignment with City Council’s Vision and Strategic Plan:

This funding will support Goal 2 of the Strategic Plan, to be a safe, equitable, thriving, and beautiful community. It specifically supports Goal 2.1, to provide an effective and equitable public safety system.

Community Engagement:

N/A

Budgetary Impact:

This has no impact on the General Fund. The grant funds do not require a City match and will be expensed and reimbursed to a separate internal order in a Grants Fund.

Recommendation:

Staff recommends approval and appropriation of funds.

Alternatives:

If the appropriation is not approved, the department will not be able to proceed with the program.

Attachments:

Appropriations

APPROPRIATION

**Virginia Department of Criminal Justice Assistance Byrne/JAG
Grant # 20-A4904AD16
\$99,291**

WHEREAS, the City of Charlottesville, through the Police Department, has received the Virginia Department of Criminal Justice Assistance Byrne/JAG in the amount of \$99,291 to be used for approved youth engagement program expenses.

WHEREAS, the grant award covers the period from period January 1, 2020 through June 30, 2021

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$99,291, received from the Virginia Department of Criminal Justice Assistance Byrne/JAG, is hereby appropriated in the following manner:

Revenue

\$ 99,291	Fund: 211	I/O: 1900349	G/L: 431110 Federal Grants
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Expenditure

\$ 25,278	Fund: 211	I/O: 1900349	G/L: 519999 Sal to/Fr Oth Trans
\$ 43,687	Fund: 211	I/O: 1900349	G/L: 530010 Professional Services
\$ 18,800	Fund: 211	I/O: 1900349	G/L: 530180 Equipment Rental
\$ 2,500	Fund: 211	I/O: 1900349	G/L: 520010 Office Supplies
\$ 9,026	Fund: 211	I/O: 1900349	G/L: 599999 Lump Sum Appropr

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$99,291 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

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

Agenda Date:	March 2, 2020
Action Required:	Appropriation of Funds
Presenter:	Vic Garber, Deputy Director, Parks and Recreation
Staff Contacts:	Vic Garber, Deputy Director, Parks and Recreation Riaan Anthony, Parks and Recreation Management Specialist II
Title:	Skate Park Lighting Donations - \$47,540

Background:

Following an aggressive community engagement process for a new lit skate park, the conceptual design for the East Side of McIntire Park was approved by City Council in 2015. Available funds for the skate park at that time was less than the lowest competitive bid. Following lengthy negotiations, skate park lighting was removed from project construction, and the park was built. The Charlottesville Skate Park opened to the public March 2018 and is heavily used by skateboarders, bikes and scooters from the city, county, and region.

Discussion:

Lighting the skate park is an important investment for the safety of patrons and will allow residents and visitors to maximize daily use of the skate park, after work and school, especially during the fall, winter and spring months. Cost for skate park lighting is approximately \$300,000. \$47,540 has been raised so far through several fundraising events conducted by skate park advocates and staff members. These funds are presently in an CIP account specifically for skate park lightning. BAMA Works has pledged to match the first \$100,000 funds received to help complete the skate park lighting. Future donations received shall be added to this CIP account, and carried over each year until the amount needed to install the lights is reached. Should the full amount necessary to install the lighting not be fully secured, then the donations received for the project will be returned to those individuals or organizations who made the donations.

Alignment with Council Vision Areas and Strategic Plan:

This project aligns with City Council's "Green City" vision and 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.; 5.2. Build collaborative partnerships; 5.3. Promote community engagement.

Community Engagement:

Extensive community engagement took place as part of the fundraiser for lights.

Budgetary Impact:

There is no budgetary impact at this time. Once the estimated amount necessary to complete the project has been received, and the project begins, there may be additional funding necessary to complete the installation of the skate park lighting. At which time additional appropriations/resolutions for funding may come to Council for consideration.

Recommendation:

Staff recommends the appropriation of these funds.

Alternatives:

N/A

Attachments:

Appropriation

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.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	March 2, 2020
Action Required:	Approve Appropriation
Presenter:	Jeff Werner, Preservation and Design Planner
Staff Contacts:	Alex Ikefuna, NDS Director Jeff Werner, Preservation and Design Planner
Title:	Transfer from the Historic Resources Committee funds to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park - \$3,500

Background:

On December 2, 2019, City Council approved a resolution to provide \$9,319 in funding previously appropriated to the Small Area Plans project to fund an initial, non-invasive archeological investigation to determine the presence of human graves outside the walls of a cemetery located at Pen Park. On December 16, 2019, Rivanna Archeological Services was contracted by the City to complete that work.

On January 10, 2020, the City's Historic Resources Committee (HRC) instructed staff to allocate \$3,500 from HRC funds as a contribution to this project. This contribution from the HRC funds will reduce the amount of funding necessary from the Small Area Plans project to complete this project.

Discussion:

When established in 1998, the Charlottesville Historic Resources Committee—known prior to 2016 as the *Historic Resources Task Force*—was charged with being an advocate for historic preservation; promoting an appreciation of local historic resources, both tangible and intangible; and encouraging and coordinating, with appropriate municipal agencies, civic organizations, institutions and individual scholars, the documentation and interpretation of local history.

Should the planned examination at Pen Park identify forgotten graves, bringing that story to the community will require very careful consideration, interpretation, and presentation. Anticipating that, the HRC recognizes it will have the responsibility of providing to Council recommendations on possible next steps. In addition to expected contribution of intellectual services, the HRC determined it would be appropriate to offer a monetary contribution to the project.

Alignment with City Council's Vision and Strategic Plan:

- Council's *Vision 2025*:
 - Charlottesville cherishes and builds programming around the evolving research and interpretation of our *historic heritage and resources*.
- *City Strategic Plan*:
 - Goal 3.5: Protect historic and cultural resources.
- Additionally, from the recommendations of the BRC on Race, Memorials, & Public Spaces:
 - Highlighting and Linking Historic Places: [...] council provide financial and planning support for historic resource surveys of African American, Native American and local labor neighborhoods and sites, seeking National Register listing and zoning and design guideline protection, where appropriate.

Community Engagement:

This matter was reported in the media and has been discussed openly by City Council and by the HRC; however there has been no community dialogue; primarily because whether or not there are, in fact, graves is unknown. Should heretofore-unknown burials be confirmed, the HRC will then offer to Council recommendations on next steps, including suggestions about community involvement, input, and discussion.

Budgetary Impact:

No new funding is necessary for this project. Funding in the amount of \$3,500 will be transferred from previously appropriated dollars in the Historic Resources Committee fund in the General Fund, to the Small Area Plans project in the Capital Improvement Projects fund.

Recommendation:

Staff recommends that Council approve the resolution authorizing the HRC's \$3,500 contribution and the subsequent reduction to \$5,819 in funding from the Department of Neighborhood Development Services Small Area Plans fund for the initial archeological evaluation.

Alternatives:

Should the HRC contribution not be appropriated, the \$9,319 project cost will remain allocated entirely from the Department of Neighborhood Development Services Small Area Plans fund.

Attachments:

1. Resolution: Approval to transfer \$3,500 from the Historic Resources Committee funds as a contribution to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park; subsequently reducing to \$5,819 the project funding allocated from the Department of Neighborhood Development Services Small Area Plans fund.
2. December 2, 2019 memo to Council
3. December 2, 2019 resolution adopted by 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

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	December 2, 2019
Action Required:	Approve Resolution
Presenter:	Jeff Werner, Preservation and Design Planner
Staff Contacts:	Alex Ikefuna, NDS Director Jeff Werner, Preservation and Design Planner
Title:	Approval for usage of Small Area Plan funding for the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park - \$9,319

Background:

Staff is seeking City Council approval to use \$9,319 in funding previously appropriated to the Small Area Plans project to fund an initial, non-invasive archeological investigation to determine the presence of human graves outside the walls of a cemetery located at Pen Park. There are no stones or records to indicate these are burials, however a 2003 study of the cemetery completed for the City's Department of Parks and Recreation advised that the visible depressions may indicate graves of persons who had been enslaved at Pen Park. Staff recently consulted with qualified experts who visited the site and it is recommended that the City take steps to determine if these depressions are, in fact, human burials and the extent of any additional burials that may not be evident on the surface. If present, the City would take appropriate steps to keep them from being disturbed.

Discussion:

Acquired by the City several decades ago, Pen Park is 280-acre, City park featuring recreational activities including picnic shelters, a playground, tennis courts, and the 18-hole Meadowcreek Golf Course. Approximately 800-feet southeast of the course's Club House is a cemetery of three family plots that have long existed on the property. Within the three plots there are at least 30 known interments, spanning from the late-18th century to the most recent burial in 2008. At the north end, a low brick wall encloses the Gilmer plot; in the center, within a stone wall is the Craven family plot; at the south end, an iron fence borders the Hotopp family plot. (The Gilmers occupied the property, Pen Park, from 1786 to 1812. The Cravens, from 1819 to the mid-1800s. The Hotopps, from 1866 to the early 1900s.)

On August 20, 2019 staff was contacted by a member of the Gilmer family regarding the condition of the cemetery at Pen Park. Not being familiar with this site, staff researched the cemetery and found two qualified reports that suggested the possibility of slave burials outside of the family plots. (See attachments.)

On September 2, 2019 archeologists from Rivanna Archeological Services visited the site and outside the Craven section noticed six to eight depressions aligned east-west. In their professional opinion the depressions were “suspicious” and “worth determining” if they indicate human burials and, if there are graves, determining if there are others, outside the family plots, that are not apparent from the surface evidence. (Among their related work, RAS was involved in the work at Daughters of Zion Cemetery, in 2012 the examination of slave burials at UVA, and in 2016 the evaluation of a slave cemetery in Roanoke.)

Recommended Evaluation:

Using Ground Penetrating Radar (GPR), examine an initial *Area of Interest* extending on a 25 foot wide zone surrounding the north, west, and south sides of the cemetery enclosure and extending to a maximum width of 55 feet on the east side of the enclosure. This survey area will be covered as completely as vegetation and other immovable obstructions allow by close-interval (2 – 3 feet) GPR transects oriented parallel to the long axis of the cemetery. GPR data returns recorded digitally during the survey will be examined in both profile and plan view visualizations to enable the detection of GPR “anomalies” potentially consistent with expectations for the geophysical signatures of unmarked grave shafts.

Following the completion of GPR survey and data analysis, archeologist will undertake controlled, shallow excavations that will investigate two or more surface and/or GPR anomalies potentially indicative of unmarked grave shafts. The purpose of the archaeological test excavations is to provide more definitive evidence concerning the presence/absence of unmarked graves outside of the cemetery enclosure and is not intended to provide a full and accurate delineation of the overall extent of unmarked graves. Archaeological excavation will be extend only to a depth sufficient to determine the presence of grave shafts (< 12 inches) and does not intend or anticipate disturbing human remains and/or burial furniture that may be present.

If the examinations indicate burials that extend beyond the initial Area of Interest, additional discussion will be necessary to revise the scope of work and associated costs.

This process can only affirm the location of likely human burials. The grave shafts will not be disturbed nor will any human remains be disinterred. The research proposed here is in full compliance with the standards and guidelines for archaeological investigations established by the Secretary of the Interior (48 FR 44716-44742), and Section 106 of the National Historic Preservation Act (36 CFR Part 800) as well as guidelines for cultural resources surveys promoted by the Virginia Department of Historic Resources (VDHR 2011). (Note: The attached proposal fully explains the regulatory and professional protocols that will be followed.)

Furthermore, this evaluation cannot and will not determine the identity or race of any interred bodies. The available evidence strongly suggests that any graves located here are those of people once enslaved on this property. However, if graves are located, regardless of the race or identity of those interred, they are located on city-owned property and should be treated with respect and steps should be taken to prevent their disturbance.

Alignment with City Council’s Vision and Strategic Plan:

- Council’s *Vision 2025*:
 - Charlottesville cherishes and builds programming around the evolving research and interpretation of our *historic heritage and resources*.

- *City Strategic Plan:*
 - Goal 3.5: Protect historic and cultural resources.
- Additionally, from the recommendations of the BRC on Race, Memorials, & Public Spaces:
 - Highlighting and Linking Historic Places: [...] council provide financial and planning support for historic resource surveys of African American, Native American and local labor neighborhoods and sites, seeking National Register listing and zoning and design guideline protection, where appropriate.

Community Engagement:

This matter was discussed briefly by the Historic Resources Committee, but there has been no community dialogue. Furthermore, the sensitive nature of burials sites requires discretion.

Budgetary Impact:

No additional funding will need to be appropriated for this project. Funding for the recommended archeological evaluation will come from previously appropriated Capital Improvement Program funds in the Small Area Plans project.

Recommendation:

Staff recommends that Council approve the resolution authorizing the usage of \$9,319 from the Department of Neighborhood Development Services Small Area Plans fund for the initial archeological evaluation; instruct staff to coordinate and monitor that work; update Council on findings; and, should burials be confirmed, request from the Historic Resources Committee recommendations on possible next steps.

Alternatives:

Should these funds not be appropriated, there will be no confirmation that there are unmarked graves, possibly of formerly enslaved individuals, outside the established and recorded boundaries of a cemetery located on City property. Without identification and, if necessary, delineation and formal recording, any existing graves will not be protected from later disturbance.

Attachments:

1. Resolution
2. Map and photos of site
3. Excerpt from *African-American Cemeteries in Albemarle and Amherst Counties*
4. Excerpt from *Preliminary Site Evaluation, Charlottesville City Cemeteries*, study completed in 2003 by Lynette Strangstad for the Department of Parks and Recreation
5. Rivanna Archaeological Services, LLC proposal, October 28, 2019, *Ground Penetrating Radar Survey and Archaeological Ground-Truthing Excavations at the Pen Park (Gilmer-Craven-Hotopp) Cemetery Charlottesville, Virginia*

RESOLUTION

**Approval for usage of Small Area Plans funding for the examination of possible burials
near the Gilmer/Craven/Hotopp Cemetery at Pen Park
\$9,319**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville,
Virginia that the sum of \$9,319 be allocated from previously appropriated funds in the Small
Area Plans project for an examination of possible burials, believed to be of formerly enslaved
persons, near the Gilmer/Craven/Hotopp Cemetery at Pen Park.

Fund: 426

Project: P-00819

G/L Account: 530670

Pen Park Cemetery Examination \$9,319

Approved by Council
December 2, 2019



Kyna Thomas, CMC
Clerk of Council

Gilmer/Craven/Hotopp Cemetery, Pen Park

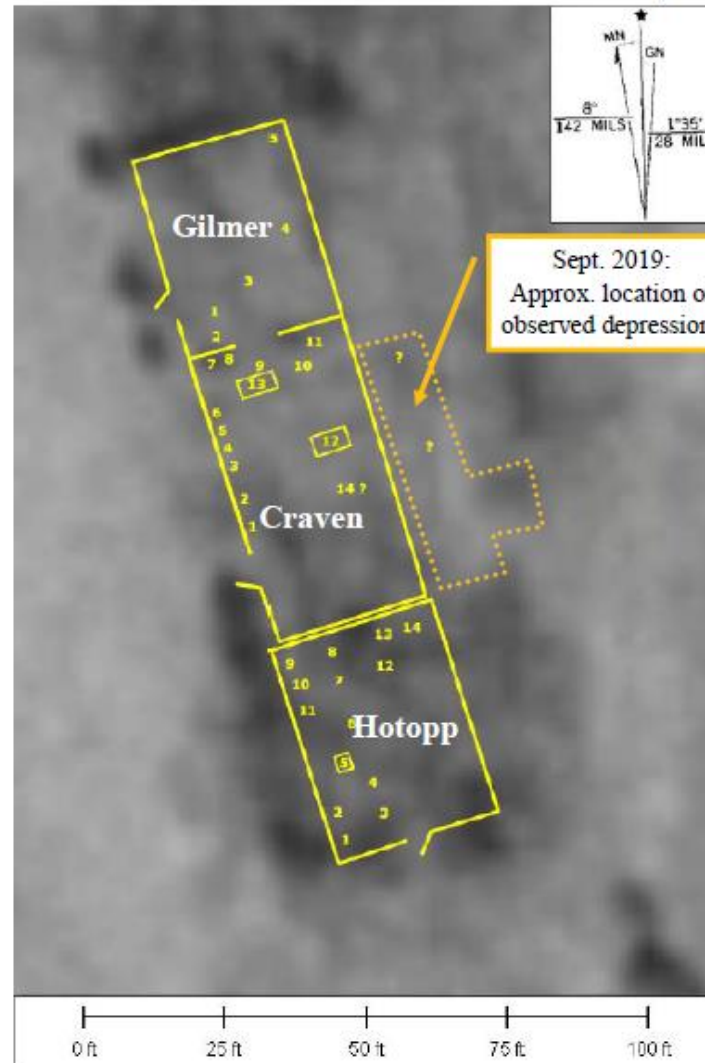


Sept. 2019: Approximate location of observed depressions—east of and outside walls of the Craven section.



Source: Bob Vernon, CVHR

Burials at Pen Park Cemetery



Gilmer Cemetery

- 1 Lucy, wife of Dr. George Gilmer; 16 May 1751-22 Apr 1800
- 2 George Gilmer, MD; 19 Jan 1742-29 Nov 1795
- 3 Mildred Gilmer Wirt; 15 Aug 1772-17 Sep 1799
- 4 Francis Walker Gilmer; 9 Oct 1790-25 Feb 1826
- 5 George Gilmer, Jr.; 7 May 1925-18 May 1991

Craven Cemetery

- 1 Sarah Ann L. Crawford; 29 Nov 1830-22 Feb 1847
- 2 William C. Crawford; 25 Jan 1845-4 Jul 1846
- 3 Dr. William S. Whitehurst; 6 Apr 1823-7 Nov 1844
- 4 Lucretia Whitehurst; d. 25 Feb 1860, aged 65
- 5 Arthur Whitehurst; d. 6 Dec 1857, aged 67
- 6 Sarah Taliaferro Lewis Craven; 26 Dec 1842-25 Jul 1843
- 7 Elizabeth N. Craven; d. 19 Dec 1819, aged 43
- 8 John Alexander Craven; 11 Feb 1839-2 Feb 1840
- 9 unreadable
- 10 Lewellyn Craven; d. 5 Jun 1825, aged 25
- 11 Mary Maria Craven; d. 20 Aug 1817, aged 1 yr 8 mo & 12 da
- 12 George W. Craven; 28 Jan 1815-10 May 1852
- 13 John H. Craven; 19 Mar 1774-7 Feb 1845
- 14 grave depression

Hotopp Cemetery

- 1 Emma F. Isemann; 26 Sep 1866-4 Apr 1913
- 2 Frederick E. Hotopp; 23 Dec 1881-18 Jan 1907
- 3 Heinrich Adolph Hotopp; 23 Dec 1875-5 Nov 1902
- 4 Emma F. C. Hotopp; 29 Aug 1842-15 Mar 1914
- 5 Wilhelm Friedrich Hotopp; 13 Dec 1832-4 May 1898
- 6 Christine A. Kamlah; 1 Jan 1801-13 Dec 1880
- 7 Agnes, dau of W. & E. Hotopp; 28 Feb 1868-21 Jan 1870
- 8 Johanna A. Hotopp; 26 Mar 1800-19 Jun 1867
- 9 Pauline Agness, dau of W.D. & A.P. Duke; 1 Jul 1906-5 Jan 1907
- 10 footstone, (no headstone?)
- 11 Wm. H. Hotopp; 14 Apr 1863-7 Jan 1927
- 12 Doris L. Hotopp; 13 Apr 1883-6 Sep 1883
- 13 E.L. & H.I. Isemann [twins?]; 11 Jan 1895-12 Jan 1895
- 14 Arthur M. Tessmann, Jr.; 29 Jul 1926-10 Aug 1926

Gilmer/Craven/Hotopp Cemetery, Pen Park

September 6, 2019 (JWerner photos)

Looking west, from outside the family plots, towards the Craven section of cemetery. Yellow lines indicate depressions observed outside of wall.



Attachment 3. Excerpt from African-American Cemeteries in Albemarle and Amherst Counties

From *African-American Cemeteries in Albemarle and Amherst Counties*:

(www2.vcdh.virginia.edu/cem/db/cemetery/details/PPK/): “The cemetery is included here because there is an oral tradition that slaves were buried outside of the ‘family plot.’ Moreover, unmarked depressions in association with periwinkle are visible along the outside edge of the metal and stone boundary. Although there is no proof that these mark the burials of enslaved individuals, several of the white families who lived here owned slaves. One ante-bellum burial practice was to bury slaves within or adjacent to white cemeteries.”

Attachment 4. Excerpt from Preliminary Site Evaluation, Charlottesville City Cemeteries

From a 2003 study completed for the City’s Department of Parks and Recreation by Lynette Strangstad: *Preliminary Site Evaluation, Charlottesville City Cemeteries*

“In Addition, numerous apparent grave depressions were noted outside the enclosures of Pen Park. Periwinkle and century plant were also found outside, underscoring the likelihood of multiple burials beyond the enclosures. It is essential that these likely slave graves be included as part of the Pen Park cemetery site.

Dowsing and/or GPR are essential here to determine how many graves are here and where they are located. Once located, graves should be mapped. When true perimeters are established, the entire area must be included as part of the cemetery and effectively set aside from the surrounding golf course. A buffer zone around the graves should be included, both to protect the graves from incursion from the recreational site and also to preserve the site as a burial site. A fence or other enclosure would help to protect this important part of Pen Park.”

Attachment 5. Rivanna Archaeological Services, LLC proposal, October 28, 2019.



Ground Penetrating Radar Survey and Archaeological Ground-Truthing Excavations at the Pen Park (Gilmer-Craven-Hotopp) Cemetery Charlottesville, Virginia

Proposal and Cost Estimate
October 28, 2019

Introduction

Rivanna Archaeological Services (RAS) is pleased to submit this proposal and cost estimate to coordinate a short program of ground penetrating radar (GPR) survey coupled with archaeological ground-truthing excavations at the Gilmer-Craven-Hotopp Family Cemetery located within Pen Park in Charlottesville, Virginia. The GPR survey will be conducted on terrain immediately surrounding all sides of the ca. 130-ft by 30-ft cemetery enclosure with a particular focus on the eastern side where surface indications suggest the presence of unmarked burials, possibly of enslaved periods, outside of the walls of the historic burial ground. The total area to be examined by GPR is approximately 12,800 square feet (0.28 acre) (**Figure 1**).



Figure 1: Aerial photograph over Pen Park showing the location of the Gilmer-Craven-Hotopp Family Cemetery and the proposed GPR survey area.

Field Research Design

Ground-Penetrating Radar Survey

The GPR survey, data processing, and analysis will be performed by NAEVA Geophysics (Charlottesville, Virginia) according to the methods, equipment, and standards detailed in their “Proposal for Geophysical Investigation” appended to this document. Briefly, GPR survey as outlined in Figure 1 will focus on a 25-ft-wide zone surrounding the north, west, and south sides of the cemetery enclosure and extending to a maximum width of 55 ft on the east side of the enclosure. This survey area will be covered as completely as vegetation and other immovable obstructions allow by close-interval (2 – 3 ft) GPR transects oriented parallel to the long axis of the cemetery. GPR data returns recorded digitally during the survey will be examined in both profile and plan view visualizations to enable the detection of GPR “anomalies” potentially consistent with expectations for the geophysical signatures of unmarked grave shafts. GPR survey requires that vegetation be mowed/cropped as low as possible at the time of survey and this proposal assumes that the City of Charlottesville will ensure that all turf and other vegetation within the proposed GPR survey area will be mowed no more than one week in advance of the GPR survey.

Archaeological Test Excavations

Following the completion of NAEVA’s GPR survey and data analysis, RAS will undertake controlled, shallow excavations that will investigate two or more surface and/or GPR anomalies potentially indicative of unmarked grave shafts. The purpose of the archaeological test excavations is to provide more definitive evidence concerning the presence/absence of unmarked graves outside of the cemetery enclosure and is not intended to provide a full and accurate delineation of the overall extent of unmarked graves. Archaeological excavation will extend only to a depth sufficient to determine the presence of grave shafts (< 12 inches) and does not intend or anticipate disturbing human remains and/or burial furniture that may be present.

Total excavation area will not exceed 50 square feet and will be comprised of two 3-ft by 8-ft excavation units oriented parallel to the long axis of the cemetery and perpendicular to the presumed prevailing, roughly east-west orientation of inhumations. Excavation will be carried out manually with shovel and trowel and will include screening of all removed soil through ¼-inch wire mesh to ensure recognition and recovery of artifacts that might be present. Excavation will extend only to the upper surface of natural, red clay subsoil—anticipated at a depth of 8 – 10 inches below existing grade—at which point the outlines of back-filled grave shafts, if present, should be recognizable based on differences in soil color, texture, and compaction.

Archaeological excavations will be manually backfilled and compacted upon completion. If grave shafts are encountered during this work, prior to backfilling RAS will cover their upper, exposed surface with permeable landscaping fabric and set temporary stakes marking these feature/s. Turf removed at the onset of excavation will be replaced as possible, however the City of Charlottesville may wish to re-sod or re-seed and straw the areas disturbed by excavation.

Protocol for the Inadvertent Discovery of Human Remains

Although grave shafts not evidenced by surface indications may well be discovered within the work area, given the shallow nature of archaeological excavation proposed in this work plan, RAS does not anticipate that human remains will be encountered or disturbed during field work.

Rivanna Archaeological Services LLC

410 E. Water Street, Suite 1100, Charlottesville VA 22902

Tel: 434-293-3108; Fax: 434-293-3183; Email: info@rivarch.com

Furthermore, it is not this project's intent to recover or to relocate human remains interred in or adjacent to the Gilmer-Craven-Hotopp Cemetery at Pen Park. Nevertheless and solely as a precaution against the unlikely event that human remains are encountered, RAS will not initiate any aspect of the cemetery delineation research design described herein until the project has successfully secured a Permit for Archaeological Excavation of Human Remains from the Virginia Department of Historic Resources. Securing this permit in advance of fieldwork ensures that the delineation work plan receives an additional layer of review and oversight while also enabling RAS staff to handle and manage inadvertently encountered human remains in the unlikely event of their discovery.

Should human remains or possible human remains be encountered during field work associated with cemetery delineation, RAS will initiate the following action plan:

- 1) Immediately halt all excavation and other work within 25 feet of the discovered remains, record the location on project maps, record the conditions and items of discovery with photographs and notes, secure all human remains and any associated artifacts within a sealed container, cover the discovery area with plastic sheeting, and mark the perimeter with barricade tape;
- 2) Similarly record, cover, and mark with barricade tape all spoil piles that may contain additional human remains;
- 3) Contact Virginia Department of Historic Resources and City of Charlottesville staff (Neighborhood Development and Parks & Recreation departments) to notify them of the unanticipated discovery of human (or potentially human) remains and to seek guidance on the temporary care of the recovered material; if so directed, contact and/or provide assistance to law enforcement personnel in further securing the location;
- 4) As directed, facilitate examination of all recovered bone by a qualified physical anthropologist and/or a State Medical Examiner;
- 5) If approved by VDHR and other project stakeholders, RAS will initiate controlled, manual cleaning and shallow excavation across the discovery area to delineate potential surviving burial features and to determine whether additional human remains are, or are likely to be, present in near-surface contexts;
- 6) In consultation with VDHR and other project stakeholders, RAS will develop, as directed, a broader work plan that more fully considers further examination of the discovery locale, the temporary treatment of human remains, and that establishes through consultation and deliberation a suitable place and process for the reinternment of inadvertently recovered human remains and associated burial artifacts.

Documentary Research

This project will draw heavily on existing historical studies of the Pen Park estate and associated Gilmer-Craven-Hotopp Family Cemetery, including research already completed by RAS staff in association with other projects. Documentary research is anticipated to concern primarily secondary sources sufficient to provide a general historical context for the cemetery. Limited research into primary sources may be conducted but will not be extensive or exhaustive.

Rivanna Archaeological Services LLC

410 E. Water Street, Suite 1100, Charlottesville VA 22902
Tel: 434-293-3108; Fax: 434-293-3183; Email: info@rivarch.com

Laboratory Processing, Analysis, and Artifact Curation

Minimal quantities of artifacts or other objects of enduring material culture are anticipated to be collected during this project. Should marker stones or other significant funerary or memorial objects be encountered during archaeological fieldwork, every effort will be made to leave them in or return them to their original locations. Small artifacts recovered during excavation and screening of surface soils will be returned to RAS's lab in Charlottesville for cleaning, analysis, and cataloging following the completion of fieldwork.

Reporting and Project Documentation

Following completion of fieldwork, Rivanna Archaeological Services will prepare a brief technical report summarizing the history of the Pen Park plantation property, the background and objectives of the current project, and presenting its findings, conclusions, and recommendations regarding future treatment and management of the Gilmer-Craven-Hotopp Family cemetery and immediately surrounding area. The report will be illustrated, as needed, with photographs and scaled drawings. The report will be provided in both printed and bound (one copy) and digital (pdf) format. One printed and bound and one digital copy of the report will also be provided to the Virginia Department of Historic Resources for inclusion in the Department's archives. In addition, a Virginia Department of Historic Resources site form will be completed for the cemetery project using the VDHR's online V-CRIS system.

Investigation Standards and Relevant Project Experience

The research proposed here is in full compliance with the standards and guidelines for archaeological investigations established by the Secretary of the Interior (48 FR 44716-44742), and Section 106 of the National Historic Preservation Act (36 CFR Part 800) as well as guidelines for cultural resources surveys promoted by the Virginia Department of Historic Resources (VDHR 2011). One or more archaeologists meeting or exceeding the Secretary of the Interior's minimum professional requirements and with significant first-hand experience with cemetery delineation will be present at all times during all components of the field research design proposed here, including the initial stage of tree and debris clearing. Past projects undertaken by Rivanna Archaeological Services in which machine-assisted wide-area clearing of surface soils has been employed to identify human burials and delineate cemetery boundaries include the following:

As detailed in the accompanying itemized budget, RAS will coordinate GPR survey, archaeological test excavations, and reporting for a total cost, inclusive of NAEVA's work, of **\$9,319.00**.

Rivanna Archaeological Services LLC

410 E. Water Street, Suite 1100, Charlottesville VA 22902
Tel: 434-293-3108; Fax: 434-293-3183; Email: info@rivarch.com

**Ground Penetrating Radar Survey and Archaeological Ground-Truthing Excavations
at the Gilmer-Craven-Hotopp Cemetery
Pen Park, Charlottesville, Virginia
Acceptance of Proposal and Fee**

By my signature below, I accept the scope of work, work schedule, and **\$9,319.00** fee detailed herein for a Ground Penetrating Radar survey, archaeological test excavations, and associated reporting the grounds of Pen Park in Charlottesville, Virginia. I further agree that payment for these services will be made in full to Rivanna Archaeological Services, LLC within 30 days of receipt of invoice. Invoices not paid within 30 days of receipt will be assessed a late payment fee of \$250. Any legal costs and any other expenses that may be incurred by Rivanna Archaeological Services to recover payment for work performed under this agreement will be borne by City of Charlottesville.

Signature: _____

Title: _____

Date: _____



**GPR and Archaeological Investigations
Pen Park
Charlottesville, Virginia**

Cost Estimate
October 28, 2019
submitted to City of Charlottesville

Component	Task	Personnel	Hours	Rate	Cost
RAS Project Planning & Administration					
	Planning & Administration	Project Archaeologist	2	\$75.00	\$150
				<i>subtotal</i>	\$150

Background Research

	Document Acquisition & Review	Project Archaeologist	8	\$75.00	\$600
				<i>subtotal</i>	\$600

RAS Archaeological Fieldwork

	Unit Excavation (48 sq.ft.)	Project Archaeologist (1)	24	\$75.00	\$1,800
		Field Technician (2)	48	\$36.00	\$1,728
				<i>subtotal</i>	\$3,528

NAEVA Fieldwork, Data Processing, Reporting

(proposal attached)

	Travel	two-person crew	1	\$100.00	\$100
	GPR Field Survey	two-person crew	4	\$160.00	\$640
	GPR Equipment Cost		0.5-day	\$600/day	\$300
	GPR Data Processing		4	\$90.00	\$360
	Materials Charge			LS	\$40
	Reporting		2	\$80.00	\$160
				<i>subtotal</i>	\$1,600

RAS Report Preparation

	Analysis & Write-up	Project Archaeologist	40	\$75.00	\$3,000
	Graphics	GIS / Graphics Tech.	6	\$61.00	\$366
	VDHR Site Form completion	Project Archaeologist	1	\$75.00	\$75
				<i>subtotal</i>	\$3,441

Summary of Estimated Costs

RAS Planning & Coordination	\$150
Background Research	\$600
RAS Fieldwork	\$3,528
NAEVA Fieldwork, Data Processing, Reporting	\$1,600
RAS Report Preparation	\$3,441
TOTAL PROJECT COST	\$9,319

October 24, 2019

Dr. Stephen Thompson
 Rivanna Archaeological Services, LLC
 410 E. Water Street, Suite 1100
 Charlottesville, VA 22902
 434-293-3108 (office) | 434-981-9466 (mobile)

RE: Proposal for Geophysical Investigation

Dear Dr. Thompson:

NAEVA Geophysics Inc. is pleased to submit for your review the following scope of work associated with a geophysical investigation to be conducted at Pen Park, in Charlottesville, Virginia. The purpose of the survey is to attempt to detect the presence and map the locations of historic burials in the area immediately adjacent to the marked Gilmer-Craven-Hotopp cemetery.

A ground penetrating radar (GPR) survey will be conducted in the area outlined in blue below, covering a total of approximately 0.28 acres. Closely spaced parallel transects will be surveyed across the areas to attempt to image burials in the area of interest.



Proposed GPR Survey Area

GPR
 MAGNETICS
 ELECTROMAGNETICS
 SEISMICS
 RESISTIVITY
 UTILITY LOCATION
 UXO DETECTION
 BOREHOLE CAMERA
 STAFF SUPPORT

VIRGINIA
 P.O. Box 7325
 Charlottesville
 Virginia 22906
 (434) 978-3187
 (434) 973-9791 Fax

NEW YORK
 225 N. Route 303, Suite 102
 Congers, New York 10920
 (845) 268-1800
 (845) 268-1802 Fax

The aerial imagery shows the presence of vegetative canopy, precluding the use of Real Time Kinematic (RTK) GPS for data location. NAEVA will use measuring tapes, pin flags and spray paint for ground control, with fiducial marks placed in the data for local coordinates. NAEVA will mark the corners of the surveyed area, however we will not record the locations of the surveyed area using GPS or other methods.

GPR depth penetration is affected by soil type, soil moisture, and the presence of conductive fluids. In general, dry sandy soils offer the best penetration, while wet clay soil permits only very shallow penetration. Residual clay soil developed over Piedmont metamorphic rocks is typically not conducive to deep penetration of GPR signals. Detection of a burial site is dependent on contrasts between the soil and the remains or enclosure, which may be affected by the condition of the materials. Interference from cultural sources such as steel reinforced concrete, underground utilities, power lines, nearby surface metal, tree roots, etc. may degrade the GPR signal.

NAEVA will use a Sensors and Software Noggin Plus GPR system, equipped with a 250 MHz antenna. The Noggin system uses shielded antennas making it well suited for use in urban environments. Data will be stored in the electronics consoles of the instruments for later review and processing.

Below are the estimated costs for this scope of work:

Item	Rate	Cost
1 Hour Travel	\$100/hour	\$ 100.00
4 Hours labor (crew of 2)	\$160/hour	\$ 640.00
1/2 Day GPR	\$300/ half day	\$ 300.00
4 Hours Data Processing	\$90/hour	\$ 360.00
Materials Charge	LS	\$ 40.00
2 Hours Report	\$80/hour	\$ 160.00
TOTAL		\$ 1,600.00

CONSIDERATIONS

The above estimated cost is based on the information provided; assumes smooth and level ground, sparse vegetation, minimal snow cover, and easy vehicle access. Please also note the following considerations.

Investigations Using Ground Penetrating Radar (GPR)

- GPR is affected by site conditions such as the building material and moisture content, therefore, the depth of penetration and usefulness of GPR data cannot be known until our arrival on site.
- If NAEVA is awarded this contract and a subcontract with your company is required, please fax a copy of the agreement to:

Mr. John J. Breznick
NAEVA Geophysics Inc.
Post Office Box 7325
Charlottesville, Virginia 22906
(434) 978-3187 and (434) 973-9791 Fax

Please allow time for contract negotiation.

- The terms and conditions on the reverse side of purchase orders are considered contracts and sufficient time should be allowed for their negotiation.
- No purchase orders which include terms and conditions or subcontracts will be accepted after the fieldwork begins.
- Once fieldwork has commenced, no additional terms or conditions may be appended to this proposal.

Billing

- This estimate does not include stand-by time, which will be charged at the normal labor rate.
- Payment terms are net 30 days. Late payments are subject to 1.5% monthly fee.
- Unless otherwise notified, this project will be billed on a time and materials basis.

Thank you for the opportunity to submit this proposal. We look forward to working with you soon. Please call me if I may answer any questions.

Best Regards,



Mark Howard
Senior Geologist/Project Manager
NAEVA Geophysics, Inc.
Charlottesville, Virginia

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	March 2, 2020
Action Required:	Resolution Adoption
Presenter:	John C. Blair, II, City Attorney
Staff Contacts:	Paul Oberdorfer, Deputy City Manager Todd Brown, Director of the Parks and Recreation Department John C. Blair, II, City Attorney
Title:	Playground License for Walker Upper Elementary School

Background:

Christa Bennett organized a fundraising effort to secure the necessary funds for installing a playground at Walker Upper Elementary School located in the City of Charlottesville. Ms. Bennett's efforts have been successful, and the necessary funding for this effort is now available.

On February 6, 2020, the Charlottesville School Board voted 6-0 to allow a playground to be built at Walker Upper Elementary School.

Discussion:

The parcel that would house the playground is owned by the City of Charlottesville.

Therefore, in order for the playground to be constructed on the parcel, the City Council will need to grant permission for the playground to be located on City property.

Budgetary Impact:

None.

Alternatives:

The Council could decline to adopt the Resolution

Attachments:

Resolution

**RESOLUTION GRANTING A LICENSE
TO PLACE PLAYGROUND EQUIPMENT
AT WALKER UPPER ELEMENTARY SCHOOL**

WHEREAS, the City of Charlottesville owns the property designated as City of Charlottesville Tax Map Parcel Number 420001000 (hereinafter “the Property”); and

WHEREAS, the Charlottesville City School Board operates Walker Upper Elementary School located on the Property; and

WHEREAS, the Charlottesville City School Board intends to accept a donation of playground equipment which will be located on the Property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a license is granted to the Charlottesville City School Board to place and affix playground equipment on the Property.

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



Agenda Date:	March 2, 2020
Action Required:	Resolution Adoption
Presenter:	John Blair, City Attorney
Staff Contacts:	Lisa Robertson, Chief Deputy City Attorney John Sales, Housing Program Coordinator Brian Haluska, Principal Planner John Blair, City Attorney
Title:	Planning Commission Referral of Accessory Dwelling Unit, Middle Density Zoning, and Affordable Dwelling Unit Zoning Text Amendments

Background:

On February 20, 2020, the Charlottesville City Council conducted a work session on zoning text amendments that could enhance the City's efforts to provide affordable housing to its residents. John Sales, Lisa Robertson, and Brian Haluska presented a variety of policy tools that the Council could enact in the short term geared towards the provision of more affordable housing.

The Council expressed its receptiveness to further consideration of zoning text amendments which would change accessory dwelling unit and middle density zoning regulations. Additionally, the Council expressed an interest in enacting an affordable dwelling unit ordinance which would codify the City's current efforts to provide additional affordable housing.

Discussion:

Charlottesville City Code Section 34-41 requires the City Council to refer amendments to the City's zoning ordinance to the Planning Commission for a recommendation. The Planning Commission will have 100 days to consider the proposed amendments and provide its recommendation to the Council.

Budgetary Impact:

None.

Alternatives:

The Council could decline to adopt the Resolution

Attachments:

Proposed Zoning Text Amendment

**RESOLUTION REFERRING PROPOSED AFFORDABLE
DWELLING UNIT ORDINANCE, ACCESSORY DWELLING UNIT
ZONING TEXT AMENDMENT, AND MIDDLE DENSITY ZONING
TEXT AMENDMENT TO THE PLANNING COMMISSION**

WHEREAS, the Charlottesville City Council conducted a work session on February 20, 2020, to receive information about zoning text amendments that could enhance the City of Charlottesville's efforts to increase affordable housing; and

WHEREAS, the Council expressed interest in further consideration of zoning text amendments to amend accessory dwelling unit regulations and to increase the supply of middle density housing within the City of Charlottesville; and

WHEREAS, the Council expressed interest in adopting an affordable dwelling unit ordinance as part of its zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Charlottesville, Virginia, pursuant to Charlottesville City Code Section 34-41, hereby refers the attached proposed zoning text amendments and affordable dwelling unit ordinance to the Charlottesville Planning Commission for recommendations to the Council within one hundred days of the adoption of this resolution.

ORDINANCE

ESTABLISHING A CITY-WIDE AFFORDABLE HOUSING PROGRAM

WHEREAS, the Virginia General Assembly has declared within Va. Code §15.2-958 that the preservation of existing housing in safe and sanitary condition, and the production of new housing for persons of low and moderate income, are public purposes and uses for which public money may be spent, and that such preservation and production are governmental functions of concern to the Commonwealth; and

WHEREAS, the General Assembly has expressly authorized the City of Charlottesville, by ordinance, to provide for an affordable housing dwelling unit program; and

WHEREAS, City Council finds and determines that public necessity, convenience, general welfare, and good zoning practice require amendment of the City's zoning ordinance to include provisions establishing and implementing an affordable housing program; and

WHEREAS, City Council further finds and determines that this Ordinance has been designed to give reasonable consideration to the purposes articulated within Virginia Code §15.2-2283 as well as the matters specified in Virginia Code §15.2-2284;

NOW, THEREFORE be it ordained by the Council of the City of Charlottesville that Chapter 34 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and re-enacted, as follows:

1. A NEW ARTICLE I-A IS HEREBY ADDED, TITLED "AFFORDABLE HOUSING", AS FOLLOWS:

ARTICLE I-A. AFFORDABLE HOUSING DIVISION 1. AFFORDABLE HOUSING PROGRAM

Sec. 34-___ Affordable Housing Program established; purpose.

(a) The City of Charlottesville hereby establishes an affordable housing dwelling unit program, to be referred to as the City's "Affordable Housing Program".

(b) The purpose of the Affordable Housing Program is to establish a range of measures that may be applied one at a time, or in combination, to create affordable housing opportunities within the City of Charlottesville. The Affordable Housing Program shall address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of housing

**PROPOSED ZONING ORDINANCE AMENDMENTS
PREPARED BY CITY ATTORNEY'S OFFICE
FEBRUARY 24, 2020**

affordable to low- and moderate-income residents, determined in accordance with the definitions set forth within this section.

(c) To assist in achieving its affordable housing goals, the City shall maintain a dedicated housing fund within its capital improvements program fund, to be known as the Charlottesville Affordable Housing Fund (“CAHF”).

(1) Any funds received by the City in connection with its Affordable Housing Program shall be used only for achieving the City’s affordable housing goals.

(2) It shall be unlawful for any person who accepts a grant or loan of funding from the CAHF to use the funding for a purpose other than the preservation of existing housing in safe and sanitary condition, or the production of new housing for persons of low and moderate income, as specified within the council resolution, appropriation or grant agreement by which such funding was provided.

(d) The Affordable Housing Program shall be implemented by an administrator appointed by the City Manager (hereinafter “Program administrator”). City Council hereby designates the Program administrator to perform the functions and to have the authority as set forth following below:

(1) The Program administrator shall administer the Affordable Housing Program in accordance with this and other city ordinances, in a manner that promotes the City’s Affordable Housing Program goals.

(2) The Program administrator shall have the following duties, responsibilities and authority:

(i) to establish regulations necessary for the administration of the city’s Affordable Housing Program, and standards of compliance with the requirements of the Program;

(ii) in the name of the City, to take all actions necessary to administer the Affordable Housing Program, including enforcement of ordinances, regulations and standards of compliance;

(iii) to enter into contracts, in the name of the City, in accordance with applicable public procurement requirements, for administration of the Affordable Housing Program, and for goods or services necessary or desirable for administration of the Program;

PROPOSED ZONING ORDINANCE AMENDMENTS
PREPARED BY CITY ATTORNEY'S OFFICE
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(iv) to recommend affordable dwelling unit sales and rental prices to City Council for approval on a biennial basis, and to administratively adjust the sales prices not more than semiannually. Affordable dwelling unit sales and rental prices shall be based on a determination of all ordinary, necessary and reasonable housing development costs required to construct the affordable dwelling unit prototype dwellings by private industry. The Program administrator shall develop recommended sales and rental prices, or semiannual administrative adjustments, with input from the City's housing advisory board. The recommended sales and rental prices shall be posted on the city's website for a period of not less than 14 business days. Written comments received will be reviewed with the housing advisory board, and after consideration of the board's recommendations as to the comments, the Program administrator shall make the final decision as to the amount(s) of any semiannual administrative adjustment, or the sales or rental prices to be transmitted to Council for biennial approval. For purposes of this paragraph, the term "housing development costs" shall have the meaning set forth within Va. Code §36-55.26, provided that any sales price(s) shall not include the cost of land, on-site sales commissions, marketing expenses, or pre-paid expenses required at settlement. The established sales and rental prices may include, among other costs, builder-paid permanent mortgage placement costs, buy-down fees and closing costs.

(A) Sales and rental prices for affordable dwelling units shall be established such that a developer would not be precluded from recouping the cost of construction and certain development costs, exclusive of the cost of land acquisition and costs voluntarily incurred but not authorized by this ordinance.

(B) Resales and re-rentals of affordable dwelling units shall be subject to the sales or rental prices, respectively, established pursuant to this section, for a period of not less than 15 years nor more than 50 years after the initial sale of such unit ("required affordability period"), as may be required within a particular program component.

(C) Regulations established by the Program administrator shall set standards by which compliance with the requirements of this ordinance shall be demonstrated by landowners initially, and periodically throughout the required affordability period.

(e) to publish an annual report, on or before September 30 of each calendar year, to be posted on the City's website, identifying the funding expended ("expenditures") from the CAHF during the preceding fiscal year, the number of committed affordable dwelling units obtained as a result of

those expenditures, the number of other affordable dwelling units obtained by those expenditures, and the name(s) of individuals and entities (whether for-profit or nonprofit) who received CAHF funding.

Sec. 34-_____ Specific Affordable Housing Program Components

- (a) *The Charlottesville Affordable Housing Fund (CAHF)*—City council has established the Charlottesville Affordable Housing Fund to assist in achieving the city's affordable housing goals. Any monetary contributions received by the City pursuant to the provisions of Sec. 34-12, from proffered development conditions designated to fund affordable housing development, or from private donations for affordable housing development, shall be included within the CAHF. The City Council shall, by resolution, establish financial guidelines and policies for the use of funds within the CAHF, and may disburse such funding in the form of grants or loans.
- (b) *Homeownership grants, workforce housing*—In order to ensure its competitiveness as an employer, the city council may, by resolution, provide for the use of CAHF funds to provide homeownership grants to city employees, employees of the city's school board and employees of the city's constitutional officers, for the purchase of their primary residences within the city. Grants provided by the city pursuant to this section shall be subject to the Virginia Housing and Development Authority's regional sales price and household income limitations for use in its single-family mortgage loan program.
- (1) Individual grants shall not exceed \$25,000 per employee, nor shall lifetime cumulative grants exceed \$25,000 per employee.
 - (2) The Program administrator may establish terms and conditions applicable to administration of such individual homeownership grants, as necessary to ensure the integrity of the homeownership grants program.
 - (3) In addition to the homeownership grants authorized in subsection (b), the city may:
 - (i) in cooperation with the city school division, offer residential housing assistance grants or loans in amounts not to exceed those permitted in subsection (b);
 - (ii) with city school division, enter into public-private partnerships and other arrangements to provide affordable workforce housing alternatives to school division personnel;
 - (iii) provide loans to any low- or moderate-income individual to aid in the purchase of any land, building, dwelling or dwelling unit within the city; and
-

(iv) make grants or loans of funds to the owner of any dwelling or dwelling unit within the city, for the purpose of subsidizing, in part, the rental payment(s) due and owing to such owner by a low- or moderate-income person.

****State law reference: Va. Code §15.2-958.2; Charlottesville City charter sec. 50.7**

(c) *Grants or loans to incentivize the rehabilitation or new construction of low- and moderate-income residential property--*

(1) The City may, by ordinance, make grants or loans to owners of residential rental property occupied, or to be occupied, following rehabilitation or after construction (if new) by individuals of low and moderate income, for the purpose of rehabilitating or producing such property. Any owner who accepts any grant or loan offered pursuant to this section must record a covenant binding upon and running with ownership of the land promising that, upon completion of rehabilitation or construction, at least 20 percent of the dwelling units rehabilitated or constructed will be occupied by low and moderate income persons, for a minimum affordability period of 10 years. The city may, within its approval of any grant or loan, specify a longer affordability period.

(2) In addition:

(i) city council may, by resolution, provide for the installation, construction, or reconstruction of streets, utilities, parks, parking facilities, playgrounds, and other site improvements essential to the development, preservation or rehabilitation planned;

(ii) the city may, by resolution, provide financial assistance to a property owner, or to the occupants of a residential property, to be used for developing or preserving and upgrading apartment buildings and for improving health and safety, conserving energy, preventing erosion, enhancing the neighborhood, and reducing the displacement of low and moderate income residents of the property;

(iii) the city council may, within any ordinance or resolution granting or loaning funds to a property owner pursuant to this subsection, require that a property owner agree to maintain a portion of the property in residential rental use for a period longer than 10 years, and that a specific percentage of the dwelling units on the property must be offered at rents affordable to persons or families of low and moderate income during that extended period of time;

**PROPOSED ZONING ORDINANCE AMENDMENTS
PREPARED BY CITY ATTORNEY'S OFFICE
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(iv) the city council may, within any ordinance or resolution granting or loaning funds to a property owner pursuant to this subsection, require that the value of any financial assistance given by the city to a property owner shall be proportionate to the value of considerations rendered by the owner pursuant to this subsection; and

(v) city council may, by resolution, establish a loan program, by which the city, or a financial institution partnering with the city, may make loans from the CAHF to low- or moderate-income individual(s), for the purpose of rehabilitating owner-occupied residences, or to assist the individual(s) in the purchase of an owner-occupied residence in designated rehabilitation zones within the city. Grants or loans offered in accordance with this paragraph shall be applied using the income guidelines issued by the Virginia Housing Development Authority for use in its single-family mortgage loan program financed with bonds on which the interest is exempt from federal income taxation. For the purpose of this paragraph, the term "financial institution" shall have the meaning set forth in Virginia Code §6.2-604.

(3) The City's Program administrator shall prepare and publish annually on the city's website an annual report listing each property purchased, constructed, or rehabilitated pursuant to this subsection and the amounts of any grants or loans made by the City therefor.

(4) The city's Program administrator is hereby authorized to reduce the following fees for an entity that is pursuing an affordable housing development:

(i) the local component of building permit fees;

(ii) site plan and subdivision review fees required by chapter 34 or chapter 29; and/or

(iii) local portion of fees required by chapter 10 of this city code, associated with the application and review of erosion and sediment control and stormwater management plans.

The fee reduction granted shall be a percentage calculated by dividing the number of affordable dwelling units to be constructed by the total number of dwelling units within the development. The Program administrator shall keep records of the dollar amount(s) of fees waived pursuant to this provision, and shall include within an annual report published on the city's website: a list of each property benefitted by the fee waiver, the

dollar value of the waived fees, and the number of affordable dwelling units to be constructed or rehabilitated within the developments for which the waivers have been granted

***State law reference: Va. Code §15.2-958**

(d) *Donations to charitable organizations—*

(1) The city council may make appropriations of public funds, of personal property, or of real estate, and by resolution, may make monetary donations from the CAHF, to any charitable institution or association engaged in the provision of affordable housing services to residents of the City. Any appropriation or donation shall be used for purposes identified within the appropriation or resolution.

(2) The city council may, by resolution, make gifts or donations of property, real or personal, or money to any charitable institution or nonprofit or other organization engaged in housing development to provide affordable housing within the City for persons 60 years of age or older. Gifts or donations of property or money to any such charitable, nonprofit or other hospital or nursing home, institution or organization or nonprofit recreational associations or organizations may be made and used for construction purposes, for operating expenses, or both, as described within the resolution.

***State law reference: Va. Code §15.2-953**

(3) *Waiver of certain fees for 501(c)(3) organization that provides affordable housing—*
The City's Program administrator is hereby authorized to waive or reduce the following fees for a 501(c)(3) organization submitting plans for construction of any affordable dwelling units, if the organization has, as its primary purpose, the provision of affordable housing:

(i) the local component of building permit fees;

(ii) site plan and subdivision review fees required by chapter 34 or chapter 29;
and/or

(iii) local portion of fees required by chapter 10 of this city code, associated with the application and review of erosion and sediment control and stormwater management plans.

**PROPOSED ZONING ORDINANCE AMENDMENTS
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A waiver of fees may be granted only when the 501(c)(3) organization itself is the landowner and applicant for the permit or approval sought from the City. If a proposed development includes, or will include, both affordable dwelling units and market-rate units, then the fees may be reduced by a percentage calculated by dividing the number of units to be constructed by the 501(c)(3) by the total number of dwelling units within the development. The Program administrator shall keep records of the dollar amount(s) of fees waived pursuant to this provision, and shall include within an annual report published on the city's website: a list of each property benefitted by the fee waiver, the dollar value of the waived fees, and the number of affordable dwelling units to be constructed or rehabilitated within the developments for which the waivers have been granted.

***State law reference: Va. Code §15.2-958.4**

*(e) Reduction of water and sewer fees for affordable housing developments--*The City offers reduced water and sewer facility fees for connecting a unit of affordable housing to the city's water/ sewer system, in accordance with the provisions and definitions set forth within Chapter 31 of the City Code. The City's Director of Utilities shall provide the Program administrator with annual data, reporting the address(es) of each affordable dwelling unit for which reduced water and sewer facility fees have been granted, the number of affordable dwelling units provided at each property, the dollar value of the reduction granted. The Program administrator shall include this information within his or her annual report.

***City Code reference: Chapter 31 (Utilities) sections 31-102.1 (water facility fees) and 31-106.1 (sewer facility fees)**

(f) Affordable dwelling unit advisory board—

(1) City council shall appoint individuals to serve on an affordable dwelling unit advisory board, to support the Program administrator in the performance of their duties. The advisory board shall have ten (10) members, at least four (4) of whom shall reside within the City. Each member shall be qualified as follows:

(i) two (2) members shall be professionals who have extensive experience in practice within the city, and who are either civil engineers or architects (each of whom shall be registered or certified with the relevant agency of the Commonwealth of Virginia);

PROPOSED ZONING ORDINANCE AMENDMENTS
PREPARED BY CITY ATTORNEY'S OFFICE
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(ii) one (1) member shall be a representative of a lending institution which finances residential development within the city;

(iii) one (1) member shall be a real estate salesperson or broker, licensed in accordance with Virginia law;

(iv) two (2) members shall be residents of the city who have a household income below 80% of the Charlottesville Area Median Income. One of these members may be a member of the governing board of CRHA; and

(v) four (4) additional members, as follows: a residential builder with extensive experience in producing single-family detached and attached dwelling units within the City or Albemarle County; a residential builder with extensive experience in producing multifamily dwellings within the City or Albemarle County; a planner employed within the City's department of neighborhood development services, and a representative of a nonprofit organization that provides housing-related services, such as homeless prevention services.

(2) The affordable dwelling unit advisory board shall perform the following functions:

(i) advise the Program administrator on sales and rental prices of affordable dwelling units;

(ii) advise the Program administrator on the affordable housing program regulations, and requests for modifications of those regulations;

(iii) advise the Program administrator on requests for modifications of this Affordable Housing Program ordinance.

(3) No grants or loans from the CAHF shall be awarded to any individual who serves as a member of the affordable dwelling unit advisory board, or to any legal entity(ies) of which such individual is a member, or in which such individual has a "personal interest", as that term is defined in Virginia Code §2.2-3101, during the individual's tenure on the advisory board.

(g) *City option to purchase*-- For a period of 90 days from the date on which affordable dwelling units are completed and ready for purchase within a housing development that has either received CAHF funding or a zoning affordable housing incentive, the city shall have an exclusive right to purchase up to one-third of the for-sale affordable dwelling units within the development providing such units. The remaining two-thirds of such for-sale affordable units

shall be offered for sale for a 90 day period, exclusively to individuals who meet household income criteria established by the Program Administrator. The city manager is hereby designated as the agent of city council and is authorized to enter into agreements in the name of the city, for the purchase of affordable dwelling units pursuant to this ordinance, provided that adequate funds have been appropriated and are available within the city's affordable housing fund for such purpose.

(h) *City option to lease*-- The city shall have an exclusive right to lease up to a specified percentage of the rental affordable dwelling units within a housing development that has either received CAHF funding or a zoning affordable housing incentive, during a controlled period of time established within the program regulations. The remaining for-rental affordable dwelling units within a development shall be offered to persons who meet the income criteria established by the Program administrator. The city manager is hereby designated as the agent of city council and is authorized to enter into agreements in the name of the city, for the lease, as lessee, of affordable dwelling units pursuant to this ordinance, provided that adequate funds have been appropriated and are available within the city's affordable housing fund for such purpose.

(i) *Other measures*—The city may undertake other actions authorized or enabled by federal or state laws and regulations; state law; the City Charter; this or any other City ordinance; or City Council resolution or appropriation, when such actions will further the City's affordable housing goals.

(j) *Program regulations*—Pursuant to sec. 34-82(b)(1) the failure of any person to comply with any Program regulation(s) adopted in accordance with the provisions of this division shall constitute unlawful conduct in violation of this Section 34-_____.

DIVISION 2. INCENTIVE ZONING PROVISIONS

Sec. 34-_____. Accessory Dwelling Density Incentive

(a) Accessory dwellings are allowed as a matter of right, subject to the provisions of this section, in order to:

- (1) Create new housing units while respecting the look and scale of single-family residential development;
 - (2) Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
 - (3) Allow more efficient use of existing housing stock and infrastructure;
 - (4) Provide a means for residents to remain in their homes and neighborhoods, with the extra income derived from accessory dwelling units; and
 - (5) Provide a broader range of affordable housing.
-

PROPOSED ZONING ORDINANCE AMENDMENTS
PREPARED BY CITY ATTORNEY'S OFFICE
FEBRUARY 24, 2020

(b) Notwithstanding the provisions of §34-420, §34-480, §34-796, the provisions of any PUD Development Plan, §34-1123, or §34-1171: an accessory dwelling shall be allowed by right on any lot containing not more than one principal building or structure, and no dwelling unit within the accessory dwelling shall be counted as part of any density regulation applicable to the lot (or a development that contains the lot), if all of the following requirements are satisfied:

- (1) The principal building or structure must be one of the following: a single-family detached dwelling, a single-family attached dwelling, or a duplex;
 - (2) The principal building or structure must be located within a zoning district *other than* R-1U, R-1SU, R-2U, and R-2SU;
 - (3) The footprint of the accessory dwelling shall not exceed fifty percent (50%) of the area within the footprint of the principal building or structure, if the accessory dwelling contains two dwelling units, or thirty percent (30%), if the accessory dwelling contains one dwelling unit;
 - (4) The height of the accessory dwelling shall not exceed 25 feet;
 - (5) The accessory dwelling shall not be located within any front yard area, and shall be subject to the same minimum yard/ setback requirements as any other accessory building or structure within the applicable zoning district;
 - (6) The lot is subject to a deed restriction (covenant) that requires at least one dwelling unit on the lot to be a for-rent affordable dwelling unit, for a period of at least 20 years. The covenant must be recorded in the city's land records prior to issuance of any building permit that would cover construction of the accessory dwelling;
 - (7) Accessory dwellings are allowed on a lot only in conjunction with a principle building or structure, and shall not exist on a lot prior to the construction of the principle building or structure. The covenant required by (b)(6), above shall require an accessory dwelling to be removed if it becomes the only structure on a lot as the result of a land division, a boundary line adjustment, a separation of ownership, or a demolition of the principal building or structure, unless a principal building or structure has been established on the same lot within 2 years.
-

PROPOSED ZONING ORDINANCE AMENDMENTS
PREPARED BY CITY ATTORNEY'S OFFICE
FEBRUARY 24, 2020

- (8) The lot, and all buildings and structures on the lot, must be owned by one or more individuals, and may not be owned by any limited liability company, corporation, partnership, or any other type of business entity. All of the buildings and structures located on the lot, including accessory dwellings and other accessory buildings and structures, must be owned by the same individual(s);
- (9) Each dwelling unit contained within an accessory dwelling shall be used only for residential occupancy.
- (10) The following standards shall apply to any accessory dwelling that has a height of more than ten (10) feet:
 - i. Exterior finish materials and siding must be of a color that matches the color of the principal building or structure.
 - ii. The predominant roof pitch of the accessory dwelling must be the same as the predominant roof pitch of the principal building or structure.
 - iii. The trim on the accessory dwelling must be of similar type, size and location as that used on the principal building or structure.
- (11) For lots located within a design control district, a proposed accessory dwelling shall remain subject to the overlay district regulations of article II, divisions 2, 3 or 5 of this chapter, as applicable.

(c) Bonus provisions

- (1) An accessory dwelling may contain one or two dwelling units.
 - (2) The provisions of §34-1171 shall not apply to an accessory dwelling established and used in accordance with this section, and no provisional use permit shall be required for such accessory dwelling. However, any accessory dwelling shall be in addition to any accessory apartment authorized by zoning district regulations, subject to §34-1171.
 - (3) An accessory dwelling may have a separate exterior entrance, or may have an entrance to an internal common area, accessible to the outside, shared with the principal building or structure.
 - (4) The City may subsidize a landowner's construction of an accessory dwelling, with a loan from its affordable housing fund, in accordance with §34-___(c) [*see p. 5 of this*
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draft; also, Va. Code §15.2-958]. This subsidy will apply in addition to any other financial incentives offered by the City. City subsidies will be available only to individuals who own and occupy at least one of the dwelling units on a lot as their principal residence.

- (5) The principal building or structure on a lot containing an accessory dwelling is not required to be owner occupied, except as provided in (c)(4), above.
- (6) No additional on-site parking space(s) shall be required for an accessory dwelling; however, existing required parking for the principal dwelling must be maintained or replaced on-site.

Sec. 34-____. Middle Density Incentive

- (a) The purposes of this section are to:
 - (1) Create new housing units while respecting the look and scale of single-family residential development;
 - (2) Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
 - (3) Allow more efficient use of existing housing stock and infrastructure;
 - (4) Provide a means for residents to remain in their homes and neighborhoods; and
 - (5) Provide a broader range of affordable housing.
 - (b) Notwithstanding the provisions of §34-420, §34-480, §34-796, the provisions of any PUD Development Plan, §34-1123, or §34-1171: any residential building or structure existing may be altered to contain multiple dwelling units, if all of the following requirements are satisfied:
 - (1) The residential building or structure to be altered must be one of the following types of buildings: a single-family detached dwelling, a single-family attached dwelling, or a duplex;
 - (2) The residential building or structure to be altered must have been constructed on or prior to _____, 2020 [insert date of adoption of the ordinance] must be the principal building or structure on a lot, and must be located in a zoning district other than R-1U, R-1SU, R-2U, and R-2SU;
 - (3) The height of the residential building or structure to be altered may not be increased, but the footprint of the building may be expanded;
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- (4) Following completion of alterations of the residential building or structure: no more than four (4) total dwelling units shall be located on the lot, within any zoning district subject to the provisions of Article III (Residential Zoning Districts) of this chapter, including any dwelling unit(s) contained within an accessory dwelling. Not more than six (6) dwelling units shall be located on the lot, within any other zoning district.
 - (5) No individual who resides within the residential building or structure prior to the alterations shall be displaced. Prior to issuance of any demolition or building permit, the landowner shall provide evidence satisfactory to the Program administrator of a plan for retaining the existing residents following completion of renovation or alteration.
 - (6) No existing building or structure shall be completely demolished; if any partial demolition is necessary, then no new construction shall exceed the height of the building or structure prior to the demolition.
 - (7) Prior to issuance of any demolition, building, electrical or plumbing permit for alteration of the residential building or structure, the landowner shall record a deed restriction (covenant) that requires at least one dwelling unit on the lot to be a for-rent affordable dwelling unit, for a period of at least 20 years.
 - (8) For lots located within a design control district, a proposed accessory dwelling shall remain subject to the overlay district regulations of article II, divisions 2, 3 or 5 of this chapter, as applicable.
- (c) Bonus provisions.
- (1) Any residential building or structure altered to contain multiple dwelling units pursuant to this section shall be a lawful residential building or structure, and shall not be deemed a nonconforming use or a nonconforming structure.
 - (2) Any residential building or structure that is a nonconforming structure prior to alteration shall be exempt from restrictions set forth within Article X, Division 8 of this chapter.
 - (3) The City may subsidize a landowner's alteration of an existing residential building or structure with a loan from its affordable housing fund, in accordance with §34-____(c) [see p. 5 of this draft; also, Va. Code §15.2-958]. This subsidy
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will apply in addition to any other financial incentives offered by the City. City subsidies will be available only to individuals who own and occupy the residential structure, or an accessory dwelling located on the sale lot, as their principal residence.

- (4) The residential building or structure is not required to be owner-occupied, either prior to or following renovation or alteration, except as required by (c)(3), above.
- (5) Only one (1) dwelling unit within the building or structure shall be counted as part of any density regulation applicable to the lot (or a development that contains the lot).
- (6) Side and rear yard requirements shall be 10 feet, minimum, or as required by the applicable zoning district regulations, whichever is less.
- (7) No additional on-site parking space(s) shall be required for an accessory dwelling; however, existing required parking for the principal dwelling must be maintained or replaced on-site.

2. THE USE MATRICES IN SECTIONS 34-§34-420, §34-480, §34-796 ARE HEREBY AMENDED AS FOLLOWS:

Accessory apartment, ~~internal~~

Accessory ~~apartment-external~~ dwelling

3. SECTION 34-1171 AND 34-1172 ARE HEREBY AMENDED AS FOLLOWS:

Replace each use of the term “internal accessory apartment” with “accessory apartment”, and replace each use of the term “exterior accessory apartment” with “accessory dwelling”

4. ARTICLE X (DEFINITIONS), SECTION 34-1200, IS HEREBY AMENDED, AS FOLLOWS:

Sec. 34-1200. Definitions

***State law reference: Va. Code 15.2-2305**

Accessory apartment means an ~~independent~~ dwelling unit *contained within the structure of a single-family detached dwelling or a single-family attached dwelling*, the presence and use of which is clearly subordinate to *the use of the* a single-family detached dwelling and in which no more than two (2) persons reside. *Also commonly referred to as* ~~When contained within the structure of a single family dwelling, such apartment constitutes~~ an "interior accessory apartment."

Accessory building, structure or use means a building *or* structure ~~or use~~ *of secondary importance or function on a lot*, located upon the same lot as the principal use, building, or structure, the use of which is incidental to the use of the principal *building or* structure *on the same lot*. Garages, carports and storage sheds are common residential accessory buildings and structures. Heating, electrical and mechanical equipment, utility service lines and meters, solar energy systems, and related equipment, are equipment or fixtures used accessory to a building or structure located on the same lot.

“Accessory dwelling” means a secondary dwelling unit located on a lot which contains, as the principal building or structure: a single-family detached dwelling, a single-family attached dwelling, or a duplex; the accessory dwelling unit is created to be auxiliary to, and is always smaller than, the principal building or structure. An accessory dwelling is a building or structure that is independent of the principal building or structure and that is designed for residential occupancy. An accessory dwelling may be detached from the principal building or structure, or may be connected to the principal building or structure by a common area (such as a covered walkway or a shared parking garage).

“Accessory use” means a use or activity that is a subordinate part of a primary use and which is clearly subordinate to and incidental to the primary use of a lot.

“Affordable dwelling unit” means a dwelling unit that is reserved for residential occupancy by low- or moderate-income persons.

“Affordable housing” shall either (i) have the meaning set forth within a particular Affordable Housing Program component (different definitions may apply to different Program components), or (ii) if no other definition applies, then the term shall refer to housing reserved for residential occupancy by low- or moderate-income persons.

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"Housing development" or "housing project" each means any work or undertaking, whether new construction or rehabilitation, which is designed and financed pursuant to the provisions of this chapter for the primary purpose of providing affordable housing for low- or moderate-income persons; such undertaking may include any buildings, land, equipment, facilities, or any other real or personal property which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, and landscaping.

"Low- or moderate-income persons" unless otherwise specified within a particular program component, this phrase shall have the same meaning as the phrase "persons and families of low and moderate income" used in Va. Code §36-55.26.

CITY OF CHARLOTTESVILLE, VIRGINIA

CITY COUNCIL AGENDA



Agenda Date:	February 18, 2020
Action Required:	Approve resolution to amend the City Code, Sec. 15-435 (b) Immobilization.
Presenter:	Andrew Knuppel, Parking Advisory Panel, Chair
Staff Contacts:	Rick Siebert, Parking Manager
Title:	Proposed Amendment to City Code §15-435 (b) – vehicle immobilization rates

Background:

Currently private property owners have two options for handling vehicles unlawfully parked on their property. They may have the offending vehicle towed or immobilized. Chapter 15, Article IX. of the City Code controls this process. Based on the current city code, towing is the only practical option.

The city has heard numerous complaints from out of town visitors and local residents who have experienced having their vehicle towed while parked. This unpleasant experience leaves a poor impression and can influence future decisions to visit.

At the request of a property owner the council appointed Parking Advisory Panel was asked to investigate if there are better alternatives to vehicle towing.

Discussion:

The city transportation code does provide for vehicle immobilization, commonly called booting, as a legal alternative to towing. Immobilization is, however, currently impractical. Sec. 15-435 of the code sets the maximum fee of twenty-five dollars (\$25.00) for the release of a vehicle that is immobilized. In contrast, the hookup and initial towing fee shall not exceed \$125.00. While the amount of the tow fee makes towing commercially practicable, the immobilization release fee is so low this service is not a practical alternative. It is simply not practical to install a boot, remove the boot and provide 24-hour on-call service for \$25.00. As a result private property owners that choose to enforce their lots use towing.

At the direction of the Parking Advisory Panel, staff researched the issue. At least two national businesses were identified that could offer this service in Charlottesville if the maximum boot fee was raised to \$100.00. Both of these businesses use new self-release boot technology and 24-hour national call centers. With immobilization in place vehicle owners simply need to call and provide

a credit card and they are given instructions to release the device. This typically takes 15 minutes after returning to your car. The device needs to be returned to a local location within 3 to 4 business days.

A number of property owners have indicated that they might prefer to have offending vehicles immobilized rather than towed if the service was affordable and available because immobilization is a much more customer friendly alternative to towing.

Community Engagement:

Discussion with City Council appointed members of the Parking Advisory Panel and some private property owners that currently use tow services.

Budgetary Impact:

None.

Recommendation:

Staff recommends approval of the attached change to the City code.

Alternatives:

None.

Attachments:

Amended city code Sec. 15-435 (b).

AN ORDINANCE AMENDING AND REORDAINING SECTION 15-435 (b), OF CHAPTER 15 OF THE CODE OF CHARLOTTESVILLE, 1990, AS AMENDED, RELATING TO A CHANGE TO RATES AND CHARGES FOR THE IMMOBILIZATION OF VEHICLES UNLAWFULLY PARKED ON PRIVATE PROPERTY

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 15-435 (b) of Article IX of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

Chapter 15 – MOTOR VEHICLES AND TRAFFIC

ARTICLE IX. – REMOVAL, IMMOBILIZATION, AND DISPOSITION OF VEHICLES UNLAWFULLY PARKED ON PRIVATE PROPERTY

Sec. 15-435. – Rates and charges.

(b) *Immobilization.* An operator may charge a vehicle owner a maximum fee of ~~twenty five dollars (\$25.00)~~ one hundred dollars (\$100.00) for the release of a vehicle when it is immobilized. No other fee of any type may be charged.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	March 2, 2020
Action Required:	Consideration of an application for a Special Use Permit
Presenter:	Brian Haluska, Principal Planner
Staff Contacts:	Brian Haluska, Principal Planner
Title:	SP19-00010 – Harris Street Apartments, Special Use Permit request for a mixed-use building

Background:

Chris Virgilio of Cville Business Park, LLC, (owner) has submitted an application seeking approval of a Special Use Permit (SUP) for the property located at 1221, 1223 and 1225 Harris Street with approximately 343 feet of road frontage on Harris Street and approximately 55 feet of road frontage on Allied Street. The proposal requests additional residential density up to 43 dwelling units per acre (DUA), pursuant to City Code Section 34-480, and additional height of 2 stories pursuant to City Code Section 34-457(b)(5)(a).

The applicant's proposal shows a new mixed-use building on a portion of the Subject Property. The property is further identified on City Real Property Tax Map 34 Parcels 90B, 90C, and 90.1 ("Subject Property"). The Subject Property is zoned Industrial Corridor. The site is approximately 2.446 acres or 106,547 square feet.

Discussion:

The Planning Commission considered this application at their meeting on February 11, 2020. The discussion centered on the visual impact of the building and whether the project would contribute to the City's housing goals.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 95 at the following link:

<https://www.charlottesville.org/home/showdocument?id=68607>

Alignment with City Council's Vision and Strategic Plan:

The City Council Vision of Economic Sustainability states that, "The City has facilitated significant mixed and infill development within the City."

The City Council Vision of Quality Housing Opportunities for All states that "Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers."

Community Engagement:

Per Sec. 34-41(c)(2), the applicant held a community meeting on January 16, 2020 (a City Planner was unable to attend as a NDS representative). Neighborhood concerns gathered from the community meeting are listed below.

- The height of the building and its overall impact on the surrounding properties.
- The pedestrian realm around the building and its attractiveness.
- The potential rents, impact on affordable housing.
- Parking supply
- Access for modes of transportation other than cars.

The Planning Commission held a joint public hearing with City Council on this matter on February 11, 2020. Several members of the public spoke on the application. While none of the speakers opposed the application, they raised concerns regarding:

- The conversion of industrially zoned land for commercial and residential projects and the resulting lack of space dedicated to industrially zoned uses.
- The increase in demand for alternative modes of transportation on Harris Street because of the increase in residential units along Allied Street.

Budgetary Impact:

No direct budgetary impact is anticipated as a direct result of this special use permit.

Recommendation:

Staff recommends the application be approved.

The Planning Commission voted 7-0 to recommend the application be approved.

Alternatives:

City Council has several alternatives:

- (1) by motion, take action to approve the attached Resolution, granting a special use permit as recommended by the Planning Commission;
- (2) by motion(s), modify the language of the attached Resolution, and then by motion approve the amended Resolution;
- (3) by motion, defer action on the SUP, or
- (4) by motion, deny the requested SUP.

Attachment (1):

- (1) Resolution for Approval of a Special Use Permit, containing the conditions recommended for the approval of SP19-00010 by the Planning Commission on February 11, 2020.

**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; 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 510 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.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	March 2, 2020
Action Required:	Adoption of Resolution
Presenter:	Kyle Kling, Transportation Project Manager Brian Copeland, Timmons Groups
Staff Contacts:	Alex Ikefuna, NDS Director Tony Edwards, Development Services Manager Kyle Kling, Transportation Project Manager
Title:	Barracks Road/Emmet Street Smartscale Improvement Project – Resolution Confirming Conformance with City’s Comprehensive Plan & Authorization to Commence Final Design

Background:

An average of 23,000 vehicles and 13,000 vehicles travel along Emmet Street and Barracks Road respectively each day. Based on the annual growth in background traffic volumes and recently completed in-fill developments at this intersection, operational performance has continually degraded over the last several years and created an increasingly unsafe bicycle and pedestrian environment. To improve these conditions, the City of Charlottesville applied for, and was awarded more than \$8.6 million through the Virginia Department of Transportation SMARTSCALE prioritization process to implement multimodal transportation improvements at the Barracks Road/Emmet Street intersection. The scope of improvements to be implemented as a condition of receiving these funds generally include the following improvements:

- Improve overall level of services (LOS) and reduce queue lengths at the Emmet Street/Barracks Road intersection by implementing the following improvements:
 - Addition of a northbound dedicated right turn lane on Emmet Street.
 - Creation of an additional dedicated left turn lane on westbound Barracks Road, which will allow for overlapping (simultaneous) eastbound and westbound dual left turn movements.
 - Traffic signal modifications, including enhanced signal timings, to better control vehicular and bike/ped movement through the intersection.

- Create a safer bicycle and pedestrian environment by implementing the following:
 - Improved median widths on all intersection approaches to provide acceptable pedestrian refuge.
 - Extend a shared use path north along Emmet Street and east on Barracks Road for a future trail connection down Meadowbrook Road
 - Implement additional bicycle and pedestrian improvements on the south side of Barracks Road between Meadowbrook Road and Hilltop Road
 - Add a bus pull-off and shelter at the existing CAT stop located on eastbound Barracks Road at Meadowbrook Road.

A Request for Proposals was advertised that included the survey and design of these improvements, as well as the execution of an extensive public participation process. In April 2019, the City of Charlottesville contracted with Timmons Group, an engineering consulting firm, to develop plans for this project.

In addition to the design parameters established by the RFP, Timmons Group researched the City of Charlottesville Comprehensive Plan, the Bicycle and Pedestrian Master Plan and Streets That Work Plan. With a firm grasp of the project's purpose and need, in addition to the recommendations offered under these City guidelines, the project team began the public involvement process to solicit neighborhood ideas and feedback on improvement options.

Legal note (provided by L. Robertson, Chief Dep. City Attorney):

Pursuant to Va. Code §15.2-2232, the City's Comprehensive Plan controls the location, character and extent of each feature shown within the Plan, including transportation infrastructure (see Va. Code 15.2-2223(B)). Unless a public facility, public area or use is already shown within the Plan (except for extensions of streets and utilities authorized through the subdivision and site plan approval processes) then that facility may not be authorized, constructed, or established unless and until the general or approximate location, character and extent thereof has been submitted to and approved by the planning commission as being substantially in accord with the City's Comprehensive Plan. Following approval of a proposed project by the Planning Commission as being in accord with the Comprehensive Plan (Va. Code §15.2-2232) City Council may either accept or overrule the Commission's determination.

By the provisions of §15.2-2232, all of the following are subject to Comp Plan review: streets or connections to streets; widening, extension, enlargement of streets; change in use of existing streets; narrowing of streets and vacation of street ROW; new parks and other public areas; public buildings and structures; and public utilities.

Community Engagement:

To help guide the project, the City appointed a project Steering Committee. The process also involved coordination with the following stakeholder groups:

- Bicycle and Pedestrian Advisory Committee
- PLACE Design Task Force
- Planning Commission
- Tree Commission

The City of Charlottesville has provided multiple opportunities for the public to provide input into the plan development process. A project website, an on-line survey, individual property owner meetings, meetings with Boards and Commissions, two (2) community events (Public Workshop and Open House) and two (2) steering committee meetings occurred between May 2019 and November 2019. Information presented and gathered at the meetings can be found at www.barracksemmetimprovements.com, however a summary of each event is below:

Project Website:

The Project website (www.barracksemmetimprovements.com) contains information that has been presented to date as part of the process. Information presented includes:

- Project background
- General project scope
- A “project updates” page that provides access to information contained in the VDOT SMARTSCALE application, posting of meeting notices and information presented/gathered from community events and steering committee meetings
- A “contacts” page allowing written communication to be sent to the City PM

Community Event 1: Public Workshop, October 2, 2019

A Public Workshop was held on Wednesday, October 2nd at Walker Upper Elementary School from 5:30 PM to 7:00 PM. The event was set up as an interactive workshop designed to gather input on the project from City and consultant representatives. The event was organized with two (2) exhibit viewing areas, each displaying the same information. Each area contained three (3) intersection improvement options and four (4) Barracks Road bike/pedestrian improvement options for review and consideration by the public. The intersection improvement options featured varying degrees of roadway widening and impact to adjacent slopes/trees on the westbound approach to the intersection on Barracks Road. The bike/pedestrian options included two (2) options for separate in-road bike facilities and two (2) options for a shared use path design approach. Participants were offered the opportunity to provide feedback on each option in a SurveyMonkey online project survey, which opened immediately following the workshop and closed 2 weeks later. Attendees were also given the opportunity to take the same survey in writing at the meeting. Once the online survey period closed and written comments compiled, a summary of survey results and recommended improvements were reviewed with City staff and

presented for consideration at the next steering committee meeting (#2). This presentation and summary of discussion around recommended improvements can be found on the project website.

On-Line Project Survey:

The SurveyMonkey survey was active from October 2, 2019 to October 16, 2019 (2 weeks). A total of 90 respondents provided feedback on 10 questions. The goal of the survey was to obtain objective feedback on the most significant, and potentially controversial components of the project. The survey obtained quantifiable data from the general public on the following project elements:

- Respondent identification and interest in the project
- Priority Ranking of eight (8) corridor challenges the team should focus on solving
- Public vote on four (4) bike/pedestrian improvement options for implementation along Barracks Road
- Written feedback on three (3) intersection improvement options
- Public vote on whether access to Meadowbrook Road should be left open (full access) or limited to right-in/right-out by extending a raised median through the intersection
- Public vote on whether respondents would bike on Barracks Road if it were made safer.
- Opportunity to provide general written feedback on the project

A summary of survey results are as follows:

Question 1 (name/address information)

- 71 respondents provided personal information while 19 elected to remain anonymous.

Question 2 (interest in the corridor)

- All 90 respondents identified their interest in the corridor
- 50% of respondents own their primary residence within the project limits while nearly 40% indicated they commute through the project area. 22% of respondents are employed by UVA.

Question 3 (prioritization of improvements)

- 81 of 90 respondents provided a ranking (#1 - #8) of their priorities.
- **Improve Pedestrian Safety** received the highest weighted score (considering the cumulative ranking from all respondents).
- **Mitigate Traffic Congestion, Improve Bicycle Infrastructure/Access, Implement Traffic Calming Measures, Preserve Neighborhood Character & Aesthetics, and Maintain Dense Tree Canopy** were all very closely ranked (#2 - #6)
- **Improve Transit Facilities and Add Corridor Lighting** were the lowest ranked priorities (#7 & #8)

Question 4 (bike/ped improvement options)

- 86 of 90 respondents chose their favorite bike/ped improvement option.
- **Options 4** received the most votes as the most favorable option (selected by 30 of 86 respondents), which is to construct a multi-use path with no buffer/planting strip, on the south side of Barracks Road between Hessian and Hilltop Road. This option results in the shortest possible retaining walls.
- **Option 3** was the 2nd ranked option (selected by 27 of 86), which makes the multi-use path options most preferred by the public, rather than a dedicated climbing lane with sidewalk.
- Implementation of a shared use path was clearly preferred over in-road bicycle facilities.

Question 5, 6 & 7 (feedback on intersection improvement options)

- Approximately ½ of respondents provided written feedback on the 3 intersection options presented. Generalized feedback is described as follows:
 - Prefer a dedicated westbound right turn lane, rather than the shared thru-right configuration proposed.
 - Most do not want retaining walls, which Option 1 provides.
 - Many liked having a sidewalk on the north side between Meadowbrook and Hessian Road, which Options 2 & 3 provide.
 - Question 5 (Option 1): 25 of 42 respondents prefer this option, mostly due to preservation of neighborhood character and tree canopy
 - Question 6 (Option 2): 11 of 40 respondents indicated they prefer this option, although most would also prefer Option 3.
 - Question 7 (Option 3): 11 of 40 respondents prefer this option. Most that dislike, do so because of retaining wall and loss to tree canopy.

Question 8 (Meadowbrook Road access)

- 45 of 78 respondents (58%) prefer to convert this intersection to right-in/right-out.

Question 7 (utilization of improved bike facilities on Barracks Road)

- 46 of 87 respondents (53%) indicated they would bike on Barracks Road if it were made safer.

Question 8 (Additional feedback)

- 59 of 90 respondents provided additional written feedback, as generally described below:
 - Most repeated comment: Protect neighborhood character by avoidance or minimization of retaining walls.

- Additional safety improvements needed at the Hilltop Road intersection on Barracks Road, mostly due to poor sight distance making lefts out of Hilltop Road.
- Most are in favor of safer pedestrian/bike environment, but want improvements extended beyond Hilltop/Buckingham.
- Need to do something about speed control/calming.
- Prefer a dedicated right turn lane on WB Barracks to NB Emmet St.

Community Event 2: Open House, November 20, 2019

Project team members held an open house on November 20, 2019, at Walker Upper Elementary School from 5:30 PM to 7:00 PM. The open house allowed the public and stakeholders to view the results of the project survey and conceptual design preferred by City staff. This event was designed as an informal meeting with an InfoGraphic highlighted results of the project survey, large plan view mosaic of the preferred concept design and an illustrative rendering of how the preferred bike/ped improvements may look. All participants were offered the opportunity to discuss the project with City and consultant representatives, as well as provide additional written feedback at the meeting.

The preferred concept presented at this meeting consisted of implementing improvements at the Barracks Road/Emmet Street intersection that minimize impacts to the adjacent properties while achieving the purpose and need of the VDOT SMARTSCALE application and operational/safety goals of the City. The preferred concept also includes the implementation of a 10' shared use path along the south side of Barracks Road between Emmet Street and Buckingham Road with a 3' curbside grass buffer between cars and pedestrians. This compromised approach offers critical space for unimpeded roadside features (street lighting and roadway signage) while minimizing retaining wall heights and impacts to adjacent properties.

Steering Committee and Stakeholder Meetings

Throughout the process, the design team collaborated with the Steering Committee and various other boards, committees and agencies to receive input and feedback during the design process. The following groups were met with on the following dates:

- Individual Property Owner Meetings: July 23, 2019
- Steering Committee: July 25, 2019 and October 30, 2019
- PLACE Committee: November 14, 2019

Meeting agendas and summaries can be found under the “project updates” tab on the project website www.barracksemmetimprovement.com. Additionally, a Technical committee was formed which is comprised of representatives from appropriate City departments. The technical committee held meetings on the project on July 25, 2019 and October 30, 2019. The technical

committee meetings confirmed input received from the public and stakeholder groups could be technically attained and then maintained.

Planning Commission

The project was presented to the Planning Commission on February 11, 2020. Pursuant to Virginia Code section 15.2-2232, the Planning Commission voted to recommend approval of compliance with the Comprehensive Plan.

During the Public Hearing phase of the meeting, several members of the public signed up to speak. The following topics were raised:

- Desire for the project to prioritize preservation of neighborhood character, particularly as it relates to the height of the proposed retaining wall and impacts to the existing tree canopy.
- Speeding concerns along the corridor
- Lack of safe pedestrian crossing along the corridor.
- Importance of incorporating traffic calming measures along Barracks Road as part of the project
- Importance of adding bicycle and pedestrian upgrades in the corridor.

Standard of Review

Pursuant to Va. Code §15.2-2232, the City's Comprehensive Plan controls the location, character and extent of each feature shown within the Plan, including transportation infrastructure (see Va. Code 15.2-2223(B)). Unless a public facility, public area or use is already shown within the Plan (except for extensions of streets and utilities authorized through the subdivision and site plan approval processes) then that facility may not be authorized, constructed, or established unless and until the general or approximate location, character and extent thereof has been submitted to and approved by the planning commission as being substantially in accord with the City's Comprehensive Plan. Following approval of a proposed project by the Planning Commission as being in accord with the Comprehensive Plan (Va. Code §15.2-2232) City Council may either accept or overrule the Commission's determination.

Comprehensive Plan Alignment:

The following denotes alignment with the City of Charlottesville adopted 2013 Comprehensive Plan.

- Land Use
 - Goal 2 - Mixed Use
 - ▶ 2.1: When considering changes to land use regulations, respect nearby residential areas.
 - The project scope was determined using residential feedback and

- with a focus on ensuring the character of neighborhood remains
 - ▶ 2.3: Enhance pedestrian connections between residences, commercial centers, public facilities, amenities and green spaces.
 - This project included enhancements to pedestrian connectivity throughout the corridor
 - Goal 4 - Regional Cooperation
 - ▶ 4.1: Coordinate with Albemarle County and other regional stakeholders to create a link between the City's pedestrian infrastructure and Monticello.
 - Albemarle County and UVA have been active on the Steering Committee
- Community Facilities
 - Goal 2 - Emergency Rescue Services
 - ▶ 2.2: Develop a strategy to address the issue of City-wide and County accessibility so that a quick response time can be maintained.
 - Members of emergency services have been involved with project development through the project Steering Committee. Minimum travel lane widths will be maintained to ensure accessibility by emergency services.
 - Goal 5 – Water Infrastructure
 - ▶ 5.1: Maintain, repair and replace water lines where necessary.
 - Project will minimize impacts to waterlines and replace as necessary. Location of improvements on Barracks Road are on the opposite side of existing waterlines to minimize any impact to these facilities.
 - Goal 7 - Parks and Recreation (Use)
 - ▶ 9.5: Enhance multimodal access to parks.
 - Project improvement will provide access to existing trails and bicycle facilities as well as safer crosswalks at the Barracks/Emmet intersection.
 - Goal 11 - Parks and Recreation (Trails)
 - ▶ 11.1: Fully Implement the Bicycle, Pedestrian, and Greenway Plan that has been approved by City Council.
 - Implementation of shared use path address major need identified in Bicycle and Pedestrian master plan.
- Economic Sustainability
 - Goal 2 - Sustaining Business
 - ▶ Improve multi-modal access to local businesses
 - Project will provide improved bike and pedestrian facilities, as well as a more appealing bus stop, to improve access to local businesses at the Barracks/Emmet intersection and beyond.
- Environment
 - Goal 2 - Urban Landscape & Habitat Enhancement
 - ▶ 2.2: Expand and protect the overall tree canopy of the City and increase the canopy of neighborhoods in an effort to achieve American Forest canopy recommendations (urban: 25%, suburban: 50% and center business zones: 15%).

will enhance the experience of all transportation users of Barracks Road.

- ▶ 1.4: Develop pedestrian-friendly environments in Charlottesville that connect neighborhoods to community facilities, to commercial areas and employment centers, and that connect neighborhoods to each other, to promote a healthier community.
 - This project provides for upgraded multi-modal connection from surrounding neighborhoods to shopping centers, restaurants and transit facilities.
- ▶ 1.5: Encourage community vitality and interaction through the incorporation of art in public spaces, neighborhoods, signage, and gateways.
 - Opportunities to provide aesthetically pleasing retaining walls treatments will be considered in the design.
- ▶ 1.6: Encourage the incorporation of meaningful public spaces, defined as being available to the general public, into urban design efforts.
 - The creation of a safe and consistent pedestrian space will encourage the use of Barracks Road by all modes of transportation.
- ▶ 1.7: Promote design excellence for public projects and installations at all scales.
 - The extensive public participation process ensures excellence in design of improvements that meet the needs of all users of the Barracks Road corridor.
- Goal 4 - Resource Inventory
 - ▶ 4.2: Continue to identify and survey additional significant individual properties located outside historic districts. In addition to historic buildings, consider significant buildings from the recent past (less than 50 years old), structures such as sculptures, landscapes such as public spaces and cemeteries, and archaeological sites.
 - Identified cultural and historic resources prior to the development of concepts. Worked closely with neighborhood to help maintain existing neighborhood characteristics
- Goal 7 - Comprehensive Approach
 - ▶ 7.8: Coordinate with the Public Works and Parks Departments regarding maintenance and construction that would affect historic features of the City's neighborhoods. Where possible, maintain and repair granite curbs, retaining walls, distinctive paving patterns and other features instead of replacing them.
 - Coordination underway with Public Works and Parks Departments. The project specifics have been coordinated with staff through the formation of a technical committee.
 - ▶ 7.11: Encourage retaining and replenishing shade trees, particularly large trees where possible, in all neighborhoods as we strive to make the City more walkable.
 - Replenishment of Shade trees planned along Barracks Road corridor
- Goal 8 - Entrance Corridors

- ▶ 8.4: Use street trees, landscaping, and pedestrian routes to provide shade, enclosure, and accessibility in streetscapes.
 - Preservation of existing tree canopy and replenishment of shade trees planned along Barracks Road corridor
- ▶ 8.7: When appropriate, coordinate the City's Entrance Corridor Design Guidelines with Albemarle County's Design Guidelines. Encourage continuity of land use, design, and pedestrian orientation between contiguous corridors in the City and County.
 - Guidelines referenced to promote continuity of land use, design, and pedestrian orientation

Recommendation:

Staff recommends approval of the preferred Conceptual Design Concept and authorization to proceed with commencement of the final design phase of the project.

Attachments

Resolution of the Charlottesville Planning Commission

Resolution for City Council

Project Presentation

PLACE Design Task Force Project Recommendation

Bicycle and Pedestrian Advisory Committee Project Recommendation


Tree Commission Project Recommendation

**RESOLUTION
OF THE CHARLOTTESVILLE PLANNING COMMISSION
RECOMMENDING THE BARRACKS/EMMET IMPROVEMENT
PROJECT IS IN CONFORMANCE WITH THE CITY'S
COMPREHENSIVE PLAN**

Whereas, this Planning Commission held a public hearing on the proposed Barracks/Emmet Improvement Project concept, after notice given as required by law, NOW THEREFORE,

BE IT RESOLVED that this Planning Commission confirms that the general character, location and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof.

Adopted by the Charlottesville Planning Commission, the 11th day of February, 2020.

Attest: 
Secretary, Charlottesville Planning Commission

RESOLUTION
FINDING THAT THE PROPOSED BARRACKS/EMMET IMPROVEMENT PROJECT
IS SUBSTANTIALLY IN ACCORDANCE WITH THE
CITY'S COMPREHENSIVE PLAN

WHEREAS, on February 11, 2020, after notice given as required by law, the Charlottesville Planning Commission and Charlottesville City Council jointly conducted a public hearing to review the preferred conceptual design of the Barracks/Emmet Improvement Project ("Project") for consistency with the Comprehensive Plan for the City of Charlottesville (2013) ("Comprehensive Plan"); and

WHEREAS, on February 11, 2020, the Planning Commission adopted a resolution approving the general or approximate location, character and extent of the Project as being substantially in accord with the Comprehensive Plan; now, therefore,

BE IT RESOLVED that, upon consideration of the Planning Commission's recommendation, the City Council hereby concurs with the Planning Commission's approval of the general or approximate location, character and extent of the Project as being substantially in accord with the Comprehensive Plan. Upon the adoption of this Resolution, staff is hereby authorized to proceed with final design of the Project for construction.

DRAFT Memorandum

From: PLACE Task Force
To: Charlottesville Planning Commission
Date: November 25, 2019
Re: Barracks-Emmet Intersection and Street Improvements

The PLACE Task Force appreciates the opportunity to provide comments on the improvements being explored for the Barracks-Emmet Intersection project. Members of PLACE have been involved in the process so far, sitting on the Citizens Steering Committee as well as participating in public open houses. The City project manager and lead consultant have also reviewed the project with PLACE. Our consensus and recommendations in this memorandum are based on the most recent information provided by the City and the consultant, including at the most recent PLACE meeting, on November 14, 2019.

Based on our vote at the end of the most recent meeting, we make the following determinations:

- *Overall*
We support the project overall, and encourage the City to complete pedestrian, bicycle, and transit improvements in the corridor as part of the effort to address increasing traffic congestion.

The Barracks/Emmet project will realize a critical component of the City's Bicycle and Pedestrian Plan and the Plan's objectives to provide a viable network of alternative transportation choices in the City. An alternative to private vehicles is critical to the City's long-term economic growth, provision of equitable access, and sustainability.

- *Intersection of Barracks/Emmet*
We support Option 1 at the intersection of Barracks/Emmet.

Option 1 is the most minimal option presented by the consultant, which has the least impact on the tree canopy and does not require retaining walls below Hessian Road.

- *Barracks Road to Hilltop Road*
We support the City's Preferred Option.

The Preferred Option maintains a 3' buffer between the roadway (11' travel lanes) and a shared-use path. A narrow planted lawn median between the curb and shared-use trail provides several benefits: it's a safer place to put street lights, it provides a buffer for pedestrians and cyclists, and it could have some traffic calming effect on vehicular traffic by making the 11' width of the pavement is clear to drivers rather than presenting a continuous stretch of pavement.

Given our support, we also make the following recommendations for design and further analysis in the next phase of the project:

- *Transit at Barracks/Emmet*
The bus stop on the north side of Barracks will be difficult to access in Option 1, and the City and consultant should explore possibilities to improve the bus stop and access to it.
- *Retaining Wall Design*
The next iteration of the project should focus on the design of the retaining walls. The design for the proposed retaining walls should minimize wall height and reduce the "highway" effect of the soldier pile wall by employing a neighborhood-friendly character to the wall face. The walls should have a simple, unfussy, appropriately scaled character. The design team should prepare a full elevation of the proposed wall so everyone can assess its impact. The wall height should step at regularly designed intervals, have an attractive coping to give it a finished appearance, and terminate in a way that's integrated into the landscape.

Retaining wall design considerations include:

- Planted walls
 - Brick or stone walls
 - Tiered walls with small setbacks to reduce overall wall bulk
 - Examine current code and design approaches to eliminate or limit guard railing/fencing on top of retaining walls
- *Tree Canopy*
Wherever possible, retain existing large trees. Where trees are lost, replace if adjacent property owners are interested. On replacement, use large trees that will contribute more quickly to the canopy over the roadway.
 - *Transition at Eastern Terminus of Project*
The design needs careful consideration to ensure a safe and compatible integration of new elements with the current conditions at the eastern terminus of the project area, i.e. where the new trails and lanes have to connect to existing sidewalks and roadways.
 - *Buffer at Top of Barracks Road*
While a consistent buffer is an important part of the City's Preferred Option, we encourage the examination of the effects of narrowing or removing the buffer for the last 100' feet of the shared-use path at the top (east end) of Barracks Road, in order to reduce retaining wall heights below 7' in this stretch.
 - *Trash Receptacles*
The design should include trash cans along the shared path, accommodated if possible in the buffer area.

February 7, 2020

To: Planning Commission, City Council, city staff, Timmons Group
From: Bicycle and Pedestrian Advisory Committee (BPAC)

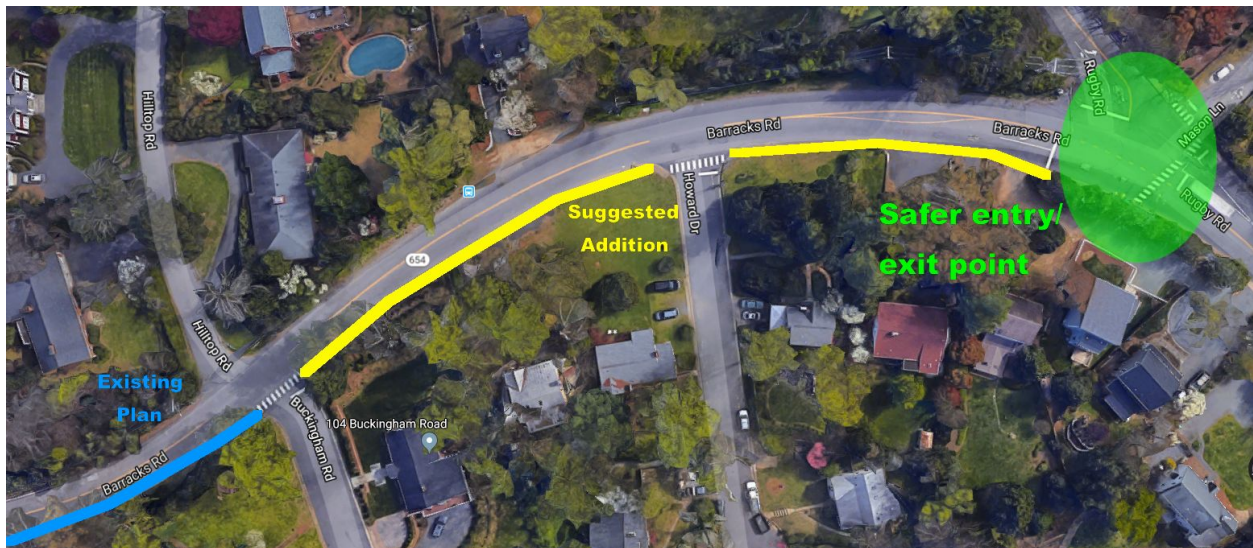
Firstly, BPAC applauds the city and Timmons Group for moving forward with the bicycle and pedestrian improvements through the Barracks/Emmet corridor, as these will implement part of an important arterial bicycle route from the Bicycle and Pedestrian Plan. BPAC agrees that the new preferred option and its buffer strip will provide the greatest degree of safety for vulnerable road users as well as create a more pleasant atmosphere for citizens. The buffer strip also provides a location where utility vaults and signage can be placed without interfering with the path. Lamp posts and other impediments to movement through the shared path should be avoided for safety reasons. BPAC asks that a tree steward be consulted regarding replanting in the area behind the retaining wall which would allow for increased enjoyment of the corridor by pedestrians, cyclists, and drivers.

The buffer strip would allow for implementation of proper cross-slopes across driveway intersections for better ADA accessibility. The current plans don't seem to address ADA accessible facilities, such as wheelchair rest areas on the slope which would greatly enhance the utility of this path. Sloping the buffer strip itself would allow for small variations in the height of the shared path relative to the roadway to decrease the perceived height of the retaining wall. Reduction of buffer width for the last 100' of the eastern terminus of the shared path is also worth exploring to reduce the maximum wall height in that short section.

For the intersection of Barracks and Emmet itself, the pedestrian islands and shortened crossing distances will be a great boon for people walking in the area, particularly families, the elderly, and people with disabilities. There is a question as to whether there will be pedestrian buttons on the pedestrian islands. Several people have expressed how the current intersection has insufficient crossing times and having pedestrians, particularly disabled citizens, stuck halfway through a crossing is an unacceptable outcome. Although BPAC understands the possibility of drainage issues, we urge you to consider the addition of a raised crosswalk in the slip lane in front of CVS. The plans for signaling the slip lane are necessary and will greatly enhance pedestrian safety.

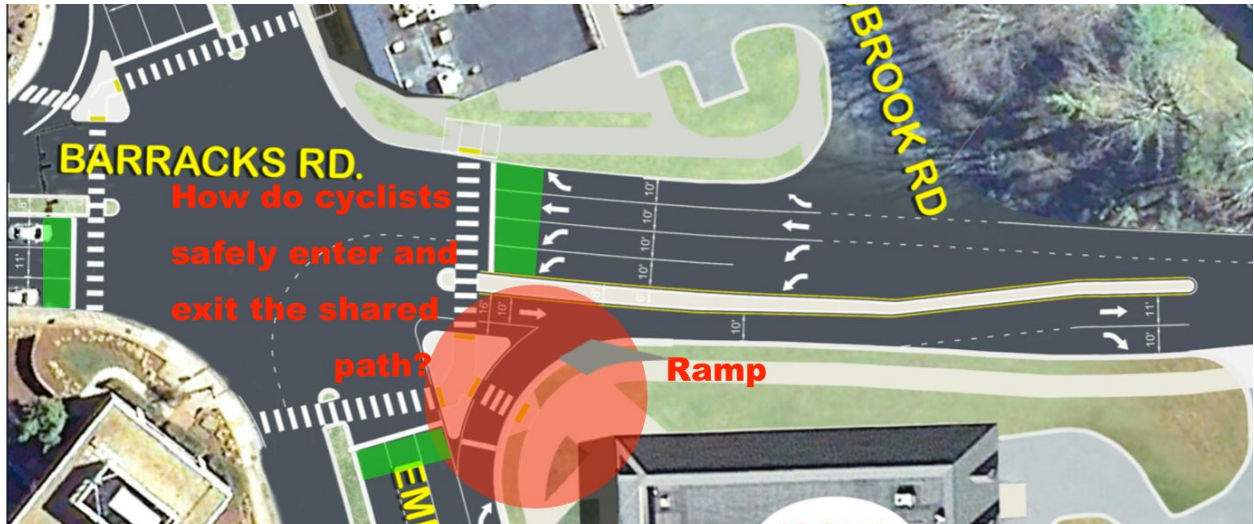
Questions do arise, however, regarding how bicycle traffic can safely enter and exit the shared path from either end. This is particularly concerning for bicycle traffic at the top of Barracks (by Hilltop/Buckingham). Bikes heading westbound on Barracks will have to cross oncoming traffic coming up the hill. This is happening at a curve on a steep grade, so the traffic coming up the hill will be difficult, if not impossible, to see. The same problem presents itself for eastbound cyclists

exiting the shared path as they will need to merge into this traffic coming up the hill since there are no bike facilities on the road. If the northern retaining wall at the bottom of the hill near the intersection of Barracks/Emmet is reduced or eliminated, BPAC strongly recommends investigating whether the resulting cost savings could be applied to extending the shared use path to the traffic signal at Barracks and Rugby Road which is the logical eastern terminus. This would greatly enhance the safety for people biking or trying to cross on foot given the poor visibility at Hilltop/Buckingham although care would still be needed to ensure appropriate transitions at this intersection.



Suggested added path length from Buckingham to Rugby Road lighted intersection

For the Barracks and Emmet intersection, BPAC would suggest the addition of an onramp for bicycles entering the path from the west. This would allow cyclists to access the path without having to dismount to enter through the pedestrian island. In addition, bike boxes added to Barracks and the northbound lanes of Emmet would allow cyclists extra space to clear the intersection and be more visible to motorists. Those cyclists coming downhill on Barracks via the shared path could use the bike box on Emmet to continue westbound on Barracks past the intersection. Faster cyclists opting to take the shared lane down Barracks itself could cross directly starting from the bike box on Barracks.



Barracks/Emmet intersection with suggested changes including bicycle onramp (grey) and bike boxes (green)

We respectfully request that Timmons and the city investigate ways to improve the westbound bus stop at the bottom of the hill near Meadowbrook. The current stop is difficult to access and improving transit access is an important component of the city reaching its sustainability goals.



Current bus stop is not accessible or safe

Finally, we would also ask that pedestrian and bike access be maintained through the corridor during the construction process. Many members of the community have had repeated issues with construction projects in the city limiting pedestrian access which is particularly difficult for disabled members of the community. Please take the time to ensure this access is not restricted during the construction of this project. Any possible pedestrian detours through neighborhoods or private property in this corridor would add between 12 and 27 minutes to a trip for people on foot. This is compared to the 2 to 7 minutes a vehicle would take to detour around the construction to take another street, such as Rugby Road or Culbreth. Putting the convenience of motorists ahead of our most vulnerable road users is not an acceptable excuse to deny adequate access to this path during construction. In the event of any temporary restriction of pedestrian or bicycle access to the corridor, the city should ensure that pedestrian and cyclist detour routes are prominently posted. BPAC offers its assistance with developing safe detour routes if the city would like assistance in this endeavor.

MEMORANDUM

To: Charlottesville Planning Commission
From: Charlottesville Tree Commission
Date: February 11, 2020
Re: Comments on Barracks Road/Emmet Street Improvement Project

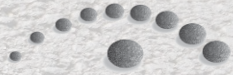
The Tree Commission appreciates the opportunity to comment on the Barracks Road/Emmet Street Improvement Project. The Commission offers the following comments and looks forward to commenting further at the February 11 Planning Commission meeting.

1. Preserve Existing Critical Green Infrastructure: The shade provided by green infrastructure significantly reduces the heat effects of accelerating climate change upon all who use a paved street and especially for residents of adjoining neighborhoods. In addition, large-canopy trees provide stormwater and carbon-absorbing benefits as well as enhance the experience of those traversing the street, whether on foot or by bicycle or car. For these reasons, the Commission strongly recommends that every effort be made to preserve the existing green infrastructure of the uniquely green and shaded urban corridor of Barracks Road.
2. Reconsider the Proposed Option: The Commission joined with the overwhelming majority of the project's Steering Committee's in endorsing Option 4 as the best for achieving green infrastructure goals. As compared with the proposed option, Option 4 is likeliest to preserve the dense, mature, large-tree canopy and protect the critical root zone of most of the existing trees. The proposed option essentially trades a significant portion of this canopy for a 3' buffer/grass planting strip that at very best might accommodate small-canopy trees, assuming sufficient soil volume. Even then, any opportunity to plant will be severely limited by lighting, signage, utilities, and snow storage, as the project presentation makes clear. In fact, the next-to-last slide in the presentation addressing the 2016 Streets That Work Plan does not reference trees at all.
3. Soil Volume in Planting Strip: The *Streets That Work Design Guidelines* for a Neighborhood A category street (Appendix C, p. A-26) recommend a planting strip width of at least 4' for small trees. The *Guidelines* also provide that smaller widths can be achieved if the soil volume minimum is met. For small-canopy trees that minimum soil volume is 250ft³. The Commission requests a separate plan showing how this project will provide for a minimum of 250 ft³ per tree of uncompacted soil in order to meet the requirement of the *Guidelines*.
4. Map Tree Inventory to Design Options: Regardless of which option is eventually approved, it is critical to have as clear an understanding of how any walls and setbacks are likely to affect trees present within the Barracks Road corridor. The Commission appreciates that Timmons conducted an extensive and detailed inventory of trees in proximity to the project and was able at the November 20 public hearing to show some preliminary mapping of the inventory to the proposed design option. This mapping should be completed as only in this way can we fully understand which of the medium and large canopy trees in good condition might be affected by this project.

**Barracks-Emmet
Intersection
Improvements**

**CITY OF CHARLOTTESVILLE
CITY COUNCIL**

MARCH 2, 2020



TIMMONS GROUP

AGENDA

- **PROJECT SCOPE & SCHEDULE**
- **PUBLIC ENGAGEMENT PROCESS**
- **CONCEPTUAL DESIGN**
- **PLANNING COMMISSION**
- RECOMMENDATION**



PURPOSE OF THE PROJECT

**TO IMPROVE THE
OPERATIONAL
PERFORMANCE OF THE
BARRACKS/EMMET
INTERSECTION WHILE
ALSO ENHANCING BIKE,
PEDESTRIAN AND TRANSIT
FACILITIES FOR THE
NEIGHBORHOOD**





OVERALL PROJECT LIMITS

AERIAL MAP





SMART SCALE

*Funding the Right
Transportation Projects
in Virginia*

SCOPE OF IMPROVEMENTS:

- ✓ ADDITIONAL NORTHBOUND RIGHT TURN LANE ON EMMET STREET
- ✓ ADDITIONAL WESTBOUND LEFT TURN LANE (CONCURRENT DUAL LEFTS) ON BARRACKS ROAD
- ✓ TRAFFIC SIGNAL IMPROVEMENTS
- ✓ PEDESTRIAN REFUGE ISLANDS AT INTERSECTION
- ✓ UPGRADED BIKE/PEDESTRIAN FACILITIES ON BARRACKS ROAD TO HILLTOP ROAD
- ✓ NEW CAT BUS SHELTER ON BARRACKS ROAD

TOTAL PROJECT BUDGET:

- ❖ TOTAL BUDGET = \$8,600,000
 - ✓ PRELIMINARY ENGINEERING - \$1M
 - ✓ RIGHT-OF-WAY - \$3M
 - ✓ CONSTRUCTION - \$4.6M

PROJECT IS FULLY FUNDED THROUGH SMARTSCALE

SMARTSCALE APPLICATION

PROJECT DESCRIPTION



TIMMONS GROUP



WE ARE HERE



SCOPING & VISIONING

- SURVEY
- TRAFFIC ANALYSIS
- COMMITTEE MEETINGS
- PUBLIC ENGAGEMENT
- **PREFERRED CONCEPT DESIGN**

WINTER
2020

DETAILED DESIGN (60%)

- DETAILED ENGINEERING DESIGN
- DESIGN PUBLIC HEARING
- VDOT DESIGN APPROVAL

SUMMER
2021

CONSTRUCTION



SUMMER
2019

PRELIMINARY DESIGN (30%)

- **PLANNING COMMISSION**
- **CITY COUNCIL**
- PRELIMINARY ENGINEERING DESIGN
- CITIZEN INFORMATION MEETING

SUMMER
2020

FINAL DESIGN (90%)

- FINAL ENGINEERING DESIGN
- RIGHT OF WAY ACQUISITION
- UTILITY RELOCATION
- VDOT AUTH. TO ADVERTISE

SPRING
2023

PLANNING PHASE

DESIGN DEVELOPMENT PHASE

IMPLEMENTATION PHASE

*SCHEDULE CONSISTENT WITH PROGRAMMING OF VDOT FUNDS

PROJECT SCHEDULE

TENTATIVE



TIMMONS GROUP



INDIVIDUAL OWNER MEETING:

- RESIDENTS THAT LIVE WITHIN PROJECT LIMITS
- VISITED THOSE AVAILABLE ON JULY 23, 2019
- REVIEWED PROJECT SCOPE, THEN LISTENED...
- PRIMARY CONCERNS – TREE IMPACTS & SAFETY

STEERING COMMITTEE MEETING #1:

- DATE - JULY 25, 2019
 - HIGHLIGHTED CORRIDOR CONCERNS & ISSUES
 - REVIEWED SMARTSCALE SCOPE & TRAFFIC STUDY
 - STRUCTURED PROJECT SURVEY QUESTIONS
 - OPENED UP FOR DISCUSSION
- KEY TAKEAWAYS – PROTECT NEIGHORHOOD CHARACTER, IMPROVE CONGESTION, REDUCE SPEEDS, MAKE BIKING AND WALKING SAFER

PROJECT WEBSITE:

WWW.BARRACKSEMMETIMPROVEMENTS.COM



STAKEHOLDER MEETINGS



INITIAL OUTREACH



PUBLIC WORKSHOP:

- PRESENTED DESIGN OPTIONS:
 - 3 INTERSECTION IMPROVEMENT OPTIONS
 - 4 BIKE/PEDESTRIAN OPTIONS
- OPENED PROJECT SURVEY TO COLLECT PUBLIC FEEDBACK



SurveyMonkey

STEERING COMMITTEE MEETING #2

- REVIEWED SURVEY RESULTS STAFF RECOMMENDATIONS
- GENERAL AGREEMENT, EXCEPT FOR BIKE/PED OPTION



PUBLIC WORKSHOP

RESULTS OF PROJECT SURVEY



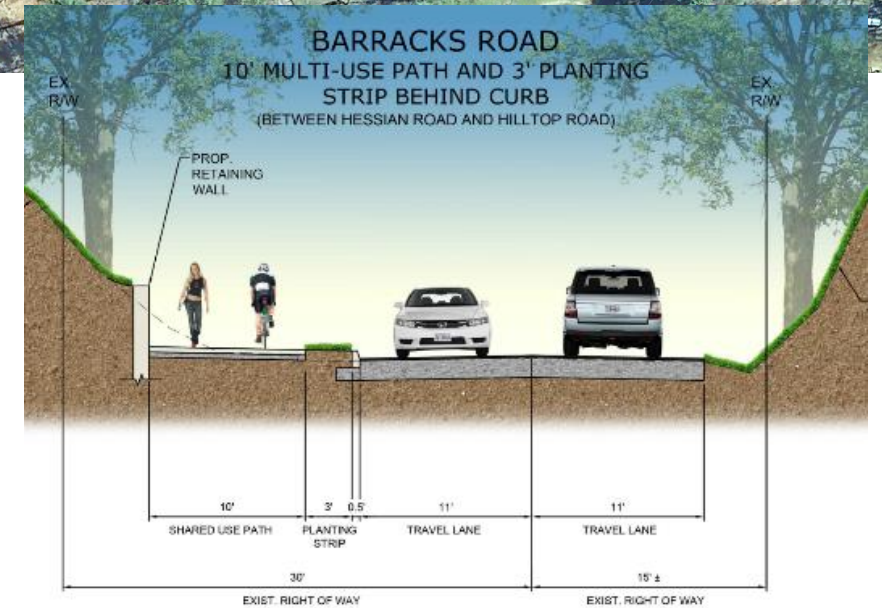
TIMMONS GROUP





HIGHLIGHTS OF THE PREFERRED CONCEPT:

- IMPROVED OPERATIONS AT THE INTERSECTION
- SAFER BICYCLE & PEDESTRIAN ENVIRONMENT
- REDUCED LANE WIDTHS (SPEED CONTROL)
- 10' SHARED USE PATH WITH REDUCED 3' GRASS BUFFER
- MINIMIZED RETAINING WALLS WITH TREATMENT OPTIONS



PUBLIC OPEN HOUSE

PRESENTATION OF PREFERRED CONCEPT



TIMMONS GROUP





BEFORE THE PROJECT

EXISTING CONDITIONS





AFTER THE PROJECT

POST-CONSTRUCTION





RETAINING WALL OPTIONS

ARCHITECTURAL TREATMENTS



TIMMONS GROUP



RETAINING WALL OPTIONS

ARCHITECTURAL TREATMENTS





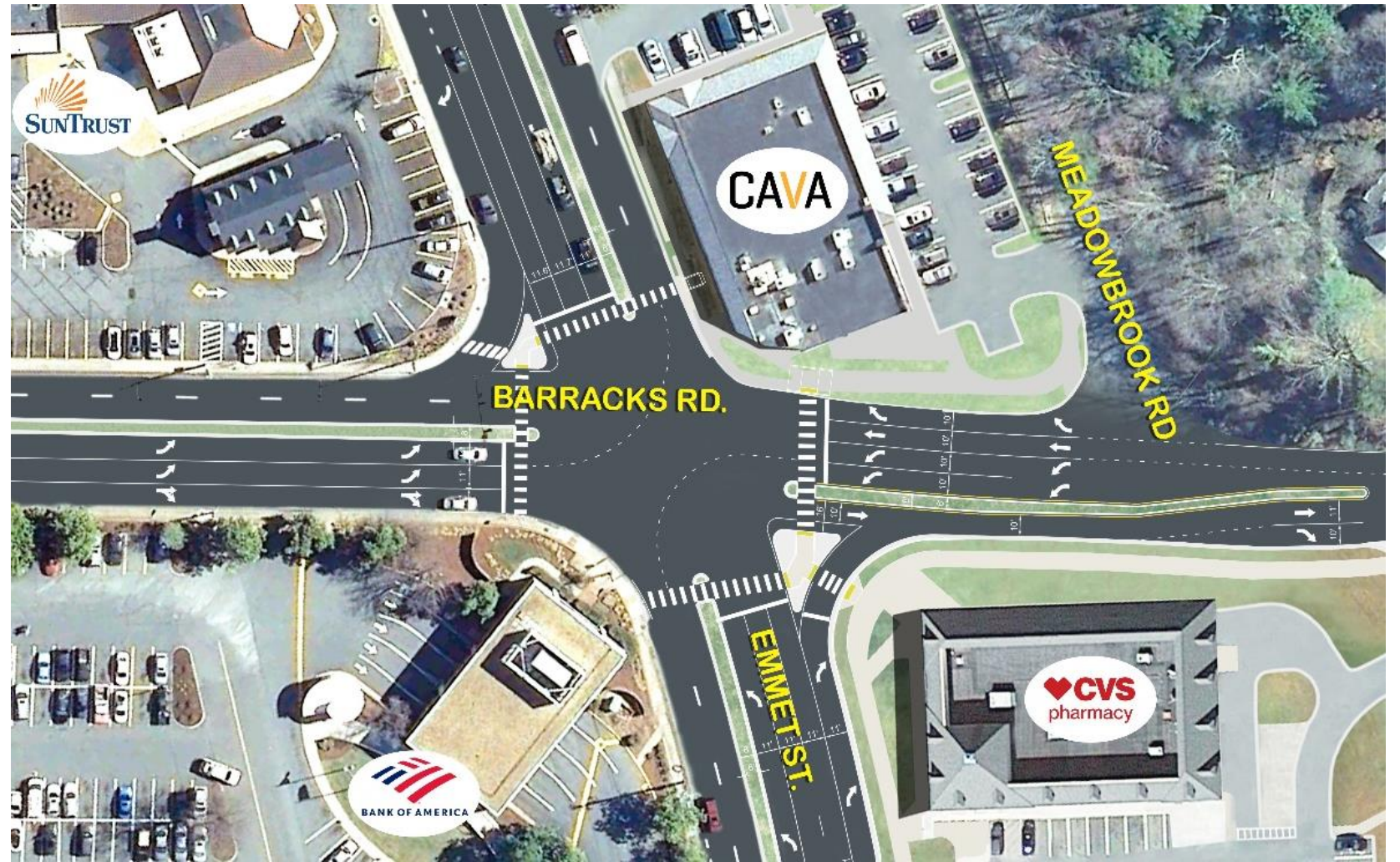
RETAINING WALL OPTIONS

ARCHITECTURAL TREATMENTS



TIMMONS GROUP

- ✓ NORTHBOUND RIGHT TURN LANE ON EMMET STREET
- ✓ CONCURRENT DUAL LEFT TURN LANES WITHOUT IMPACT TO ADJACENT PROPERTIES
- ✓ REALIGNED CROSS-WALKS (SHORTER CROSSING DISTANCES)
- ✓ ENHANCED PEDESTRIAN REFUGE ISLANDS
- ✓ NEW TRAFFIC SIGNAL WITH PEDESTRIAN CONTROLS
- ✓ UPGRADED ADA COMPLIANT HANDICAP RAMPS



INTERSECTION IMPROVEMENTS

PRESENTATION OF PREFERRED CONCEPT



✓ ON FEBRUARY 11, 2020, PURSUANT TO VIRGINIA CODE SECTION 15.2-2232, THE PLANNING COMMISSION VOTED TO RECOMMEND APPROVAL OF COMPLIANCE WITH THE COMPREHENSIVE PLAN

HIGHLIGHTS FROM THE PUBLIC HEARING INCLUDE:


- SAFETY OF PEDESTRIANS AND BICYCLIST SHOULD BE THE TOP PRIORITY
- STEPS MUST BE TAKEN TO SLOW TRAFFIC ON BARRACKS ROAD
- DESIGN SHOULD SEEK TO MINIMIZE IMPACTS TO TREES AND RETAINING WALL HEIGHTS
- EFFORTS SHOULD BE MADE TO EXTEND BIKE/PED IMPROVEMENTS TO RUGBY ROAD

**RESOLUTION
OF THE CHARLOTTESVILLE PLANNING COMMISSION
RECOMMENDING THE BARRACKS/EMMET IMPROVEMENT
PROJECT IS IN CONFORMANCE WITH THE CITY'S
COMPREHENSIVE PLAN**

Whereas, this Planning Commission held a public hearing on the proposed Barracks/Emmet Improvement Project concept, after notice given as required by law, NOW THEREFORE,

BE IT RESOLVED that this Planning Commission confirms that the general character, location and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof.

Adopted by the Charlottesville Planning Commission, the 11th day of February, 2020.

Attest: 
Secretary, Charlottesville Planning Commission



**CITY OF CHARLOTTESVILLE
COMPREHENSIVE PLAN 2013**

1 LAND USE
Sense of Place, Mixed Use, Public Space, Innovation, Regional Cooperation

2 COMMUNITY FACILITIES
Fire Department, Wastewater Infrastructure, Emergency Rescue Services, Water Infrastructure, Police Department, Parks & Recreation, Educational Institutions, Public Buildings

3 ECONOMIC SUSTAINABILITY
Innovation, Sustaining Business, Partnerships, Tourism, Downtown Mall, Workforce

4 ENVIRONMENT
Rivanna River, Sustainable Development, Water Conservation, Resource Efficiency, Water Resources Protection, Waste Reduction, Urban Forest, Habitat Enhancement

5 HOUSING
Impact on Goals & Vision, Maintain & Improve, Grow the Stock, Funding Initiatives, Partnerships, Design Options, Sustainability Principles, Incentives

6 TRANSPORTATION
Complete Streets, Land Use & Community Design, Efficient Mobility, Transit System, Parking, Regional Transportation, Sustainable Infrastructure, Infrastructure Funding

7 HISTORIC PRESERVATION & URBAN DESIGN
Urban Design, Older Education, Incentives & Tools, Resource Inventory, Neighborhood Conservation, Resource Protections, Comprehensive Approach, Entrance Corridors, Sustainable Reuse

CREATED BY THE CITY OF CHARLOTTESVILLE, NEIGHBORHOOD DEVELOPMENT SERVICES FOR MORE INFORMATION: CHARLOTTESVILLE.ORG

PLANNING COMMISSION

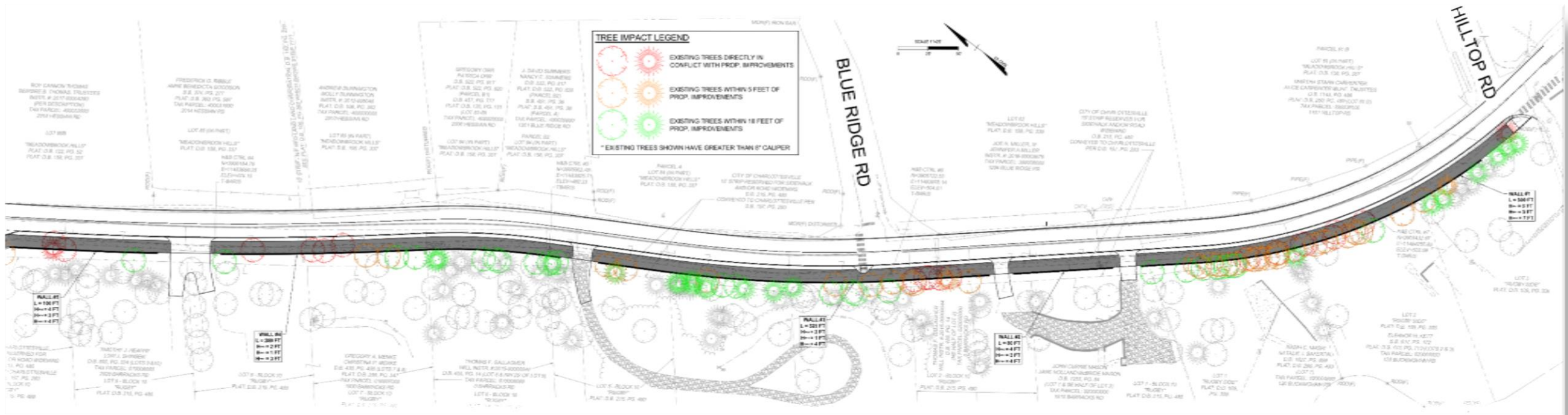
COMPLIANCE WITH COMPREHENSIVE PLAN



Thank You!



TIMMONS GROUP



WALL HEIGHT & TREE IMPACTS:

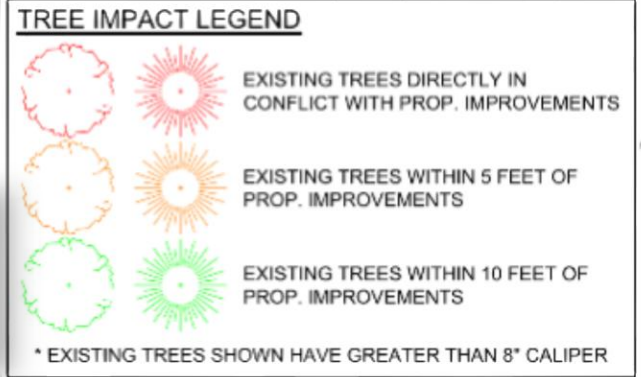
- ✓ PRESENTED RESULTING WALL HEIGHTS FOR EACH OPTION
- ✓ ILLUSTRATED ANTICIPATED TREE IMPACTS

OPTION 3
 AVERAGE HEIGHT: 5' TALL
 MIN HEIGHT: 2' TALL
 MAX HEIGHT: 9' TALL

OPTION 4
 AVERAGE HEIGHT: 3' TALL
 MIN HEIGHT: 1.5' TALL
 MAX HEIGHT: 6' TALL

*ESTIMATED WALL HEIGHTS ALONG RESIDENTIAL PROPERTIES

PREFERRED OPTION
 AVERAGE HEIGHT: 3' TALL
 MIN HEIGHT: 1' TALL
 MAX HEIGHT: 7' TALL



WALL HEIGHT & TREE IMPACTS

PRELIMINARY



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REPORT PLACEHOLDER

The following reports are oral presentations for the March 2, 2020 Regular Meeting:

4. United States Census 2020 oral report
5. City Schools Budget Presentation
6. City Manager Budget Presentation