



**CITY COUNCIL AGENDA**  
**February 6, 2023**  
**CERTIFICATIONS**

J. Lloyd Snook, III, Mayor  
Juandiego Wade, Vice Mayor  
Michael K. Payne, Councilor  
Brian R. Pinkston, Councilor  
(Councilor vacancy)  
Kyna Thomas, Clerk

**4:00 PM OPENING SESSION**

Register at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom). The public may view this portion of the meeting electronically by registering in advance for the Zoom webinar or on the City's streaming platforms and local government Channel 10. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

**Call to Order/Roll Call**

Councilor Payne arrived after Agenda Approval.

**Agenda Approval**

**APPROVED 3-0 (PINKSTON/WADE)**

**Reports**

1. Report: Gravesites at Pen Park: Update on unmarked burials
2. Report: United Way of Charlottesville update

**5:30 PM CLOSED SESSION pursuant to Sections 2.2-3711 and 2.2-3712 of the Virginia Code (Boards and Commissions; Personnel)**

**Vote to meet in closed session APPROVED 4-0 (PINKSTON/WADE)**

**Vote to certify closed session APPROVED 4-0 (PNKSTON/WADE)**

**6:30 PM BUSINESS SESSION**

This portion of the meeting will accommodate a limited number of in-person public participants in City Council Chamber at City Hall as we employ a hybrid approach to public meetings. Registration is available for a lottery-based seating selection at [www.charlottesville.gov/1543/Reserve-a-Seat-for-City-Council-Meeting](http://www.charlottesville.gov/1543/Reserve-a-Seat-for-City-Council-Meeting). Reservation requests may also be made by contacting the Clerk of Council office at [clerk@charlottesville.gov](mailto:clerk@charlottesville.gov) or 434-970-3113.

**Moment of Silence**

**Announcements**

**Recognitions/Proclamations**

- Recognition: Presentation to Sena Magill
- Proclamation: Congenital Heart Disease Awareness Week, February 7-14
- Proclamation: Black History Month

**Board/Commission  
Appointments**

**Consent Agenda\* APPROVED 4-0 (PINKSTON/WADE)**

3. Minutes: January 3 Council meeting, January 17 Council meeting, February 2 Budget Work Session
4. Resolution: Appropriating Grant Funds for improvements at 10th Street NW and Grady Avenue - \$500,106 (2nd reading)  
#R-23-016
5. Resolution: Appropriating funds for Safe Routes to School Program (SRTS) Non-Infrastructure Grants - \$ 229,803 (1 of 2 readings)
6. Resolution: Appropriating Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$61,500 for operations of the therapeutic docket program (1

of 2 readings)

7. Resolution: #R-23-017 Considering a Special Use Permit request for 345 US 250 Bypass (250 Bypass Fire Station) (1 reading)
8. Resolution: #R-23-018 Considering a Critical Slope Waiver request for 345 US 250 Bypass (250 Bypass Fire Station) (1 reading)
9. Resolution: Appropriating State Criminal Alien Assistance Program (SCAAP) Grant for 2021 reimbursement in the amount of \$7,743 (1 of 2 readings)
10. Resolution: Appropriating funds for appraisal services at 0 East High Street - \$3,800 (1 of 2 readings)

## City Manager Report

- Report: February update

## Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces at <https://www.charlottesville.gov/692/Request-to-Speak>; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting.

## Action Items

11. Public Hearing/Res.: #R-23-019 Approving a Lease Agreement with Omni Hotel for an outdoor cafe area at 212 Ridge-McIntire Road / 235 West Main Street (1 reading - Public Hearing)  
**APPROVED 4-0 (PINKSTON/WADE)**
12. Public Hearing: Re-precincting the City of Charlottesville (1st reading January 17; 2nd reading March 6)
13. Public Hearing: Accepting public comments on filling the City Council seat vacated by Sena Magill as of January 12, 2023
14. Resolution: Appropriating funds in support of BEACON's Kitchen Project - \$500,000 (1 of 2 readings)
15. Resolution: #R-23-021 Considering a Comprehensive Sign Plan 701 East Water Street (1 reading)  
**APPROVED 4-0 (PAYNE/PINKSTON)**
16. Resolution: #R-23-020 Considering the use of speed cameras in School Zones (1 reading)  
**APPROVED as amended 4-0 (PINKSTON/WADE)**
17. Resolution: Appropriating funds for the purchase of Charlottesville Area Transit radio equipment - \$237,000 (1 of 2 readings)

## General Business

## Other Business

## Community Matters (2)

## Adjournment

**RESOLUTION**  
**Appropriating the amount of \$500,106**  
**Received by the City from the Highway Safety Improvement Program**

WHEREAS, the Highway Improvement Program (HSIP) provides Federal funding for intersection improvements that target the reduction in the number and severity, or the risk of and exposure to crashes, and has awarded the City of Charlottesville \$500,106 for such improvements;

WHEREAS, the BPS program is a 100% reimbursement program requiring the City to meet all federal guidelines to qualify; NOW, THEREFORE,

**BE IT RESOLVED by the Council of the City of Charlottesville, Virginia** that, upon receipt of the sum of \$500,106.00 from the Commonwealth of Virginia HSIP Bicycle and Pedestrian Safety Program, said sum shall be appropriated as follows:

**Revenue – \$500,106**  
\$500,106.00 Fund: 426 WBS: P-01092 G/L: 430120

**Expenditures - \$500,106**  
\$500,106.00 Fund: 426 WBS: P-01092 G/L: 519999

**RESOLUTION**  
**Granting a Special Use Permit for Property Located at 345 US 250**  
**Bypass (Tax Map and Parcel/Tax Status: 450001000 Real Estate Tax**  
**Exempt) Application SP22-00008**

**WHEREAS** the City of Charlottesville, Virginia ( the “City”) is the owner of certain land located and currently addressed as 345 US 250 Bypass and identified on Tax Map and Parcel/Tax Status as 450001000 (Real Estate Tax Exempt), and includes McIntire Park, the Brooks Family YMCA, and the existing City Fire Station #1 (the “Property”),

**WHEREAS** the City Senior Project Manager (the “Applicant”) is requesting a Special Use Permit (“SUP”) to allow for construction of a new 8,000 square foot fire station to the south of an existing stub road on the Property (the “Project”); and

**WHEREAS** the Property is currently zoned R-1 (Single-Family Residential) and under R-1 zoning classification, municipal offices or other government buildings may be authorized with a Special Use Permit and are deemed substantially compliant with the Comprehensive Plan in accordance with by § 15.2-2232 of the Code of Virginia; and

**WHEREAS** the current City Fire Station #1 is a legal non-conforming use, with no Special Use Permit on file for this site; and

**WHEREAS** the Applicant seeks a Special Use Permit Under City Code Sec. 34-158 to allow for construction of the Project; and

**WHEREAS** the Project is described in more detail within the Charlottesville Public Works, Facilities Development Division’s Staff Report and application materials submitted in connection with SP22-00008, as required by City Code Sec. 34-158 (collectively, the “Application Materials”); and

**WHEREAS** the Planning Commission and the City Council conducted a joint public hearing, after notice and advertisement as required by law on, January 10, 2023; and

**WHEREAS** the Planning Commission considered and recommended approval of this application by a vote of 7-0 (which includes the Special Use Permit and substantial compliance with the Comprehensive Plan; and

**WHEREAS** upon consideration of the Planning Commission’s recommendation, the Application Materials, comments received at the public hearing, as well as factors set forth within 34-157 of the City’s Zoning Ordinance and §15.2-2232 of the Code of Virginia, this Council finds and determines that granting the proposed Special Use subject to suitable regulations and safeguards would contribute to the City Council’s Vision and Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment and Item 3.2: Provide reliable

and high quality infrastructure, and would serve the public necessity, convenience, general welfare or good zoning practice; now therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that a Special Use Permit is hereby granted to allow the Project to be established on the Property, subject to the following conditions:

- (1) That the Applicant's Critical Slope Waiver filed and accompanying this SUP request be granted.

**RESOLUTION APPROVING A REQUEST FOR WAIVER OF CRITICAL SLOPES PROVISIONS PURSUANT TO CITY CODE SECTION 34-1120(b) FOR PROPERTY LOCATED AT 345 US 250 Bypass  
(Tax Map and Parcel/Tax Status: 450001000 Real Estate Tax Exempt) Application P22-0091**

**WHEREAS** the City of Charlottesville, Virginia ( the “City”) is the owner of certain land located and currently addressed as 345 US 250 Bypass and identified on Tax Map and Parcel/Tax Status as 450001000 (Real Estate Tax Exempt), and includes McIntire Park, the Brooks Family YMCA, and the existing City Fire Station #1 (the “Property”),

**WHEREAS** the City Senior Project Manager (the “Applicant”) is requesting a waiver of the critical slopes requirement of City Code Sec. 34-1120(b) in connection with the construction of a new 8,000 square foot fire station to the south of an existing stub road on the Property (the “Project”); and

**WHEREAS** the Planning Commission held a hybrid virtual and in person joint public hearing with City Council on January 10, 2023 to give the public an opportunity to comment; and

**WHEREAS** the Planning Commission considered and recommended approval of the request to waive the critical slopes requirements, pursuant to City Code §34-1120(b) by a vote of 7-0, upon a finding that the public benefits of allowing disturbance of the critical slope outweigh the public benefits of the undisturbed slope; and

**WHEREAS** upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b) that the benefits of allowing the disturbance of the critical slopes in connection with the development project outweigh the public benefits of the undisturbed slopes; and

**WHEREAS** upon further consideration of the Planning Commission’s recommendation, the Application Materials, comments received at the public hearing, as well as factors set forth within the Application Materials, this Council finds and determines that granting the proposed critical slope waiver subject to suitable regulations and safeguards would contribute to the City Council’s Vision and Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment and Item 3.2: Provide reliable and high quality infrastructure, and would serve the public necessity, convenience, general welfare or good zoning practice; now therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the request by the Applicant, for a waiver of the critical slopes requirements for the above-described Project to be developed on the Property, is hereby granted.

**RESOLUTION**

**Approving a lease of public right-of-way at 212 Ridge-McIntire Road/235 West Main Street to Omni Charlottesville Virginia Corporation**

WHEREAS, Omni Charlottesville Virginia Corporation, desires to lease certain City-owned property for a term of one year, with renewal options for up to four additional one year terms; and

WHEREAS, City Council has considered the terms of the proposed lease, and has conducted a public hearing in accordance with the requirements of Virginia Code Sec. 15.2-1800(B); NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the lease of City-owned property located at 212 Ridge-McIntire Road/235 West Main Street, Charlottesville, Virginia, to Omni Charlottesville Virginia Corporation presented to Council this same date for consideration, is hereby APPROVED and the City Manager is hereby authorized to execute the approved lease on behalf of City Council.

**RESOLUTION**  
**APPROVING COMPREHENSIVE SIGNAGE PLAN FOR**  
**701 East High Street**

**WHEREAS**, the City staff reviewed the Comprehensive Signage Plan proposed for 701 East High Street, and recommended approval of the plan if certain modifications were to be made such that only one (1) directory sign shall be permitted for each entrance/exit into the parking garage and will be installed perpendicular to the street at that location; and

**WHEREAS**, when approved those modifications shall be incorporated into a revised Comprehensive Signage Plan on 701 East High Street for review and approval; and

**WHEREAS**, in accordance with City Code Sec. 34-1045(c), City Council has determined that:

- (1) There is good cause for deviating from a strict application of the requirements of Section 34-1020, et seq. (City Code Chapter 34, Article IX, Division 4 – Signs), and
- (2) The comprehensive signage plan, as proposed, with the modifications provided by staff, will serve the public purposes and objectives set forth within City Code Section 34- 1021 at least as well, or better, than the signage that would otherwise be permitted for the subject development; now, therefore;

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that this Council hereby approves the Comprehensive Signage Plan for 701 East High Street subject to the modifications referenced herein as to the number of directory signs (one per entrance/exit) and the placement of such signs perpendicular to the street.



**RESOLUTION  
TO APPROVE USE OF SPEED CAMERAS IN SCHOOL ZONES**

**WHEREAS**, the Code of Virginia 46.2-882.1 “Use of photo speed monitoring devices in highway work zones and school crossing zones” allows for state or local law-enforcement agencies to place and operate speed monitoring devices in school crossing zones for the purpose of recording violations,

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

Approve the use of speed cameras on Monticello Avenue for the school zone near Clark Elementary and on Cherry Avenue for the school zones near Buford Middle School and Johnson Elementary.

These cameras are to be used only when the school zone signs that warn of a lower speed limit are activated.