



CITY COUNCIL AGENDA
September 19, 2022
CERTIFICATIONS

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

4:00 PM OPENING SESSION

Register at www.charlottesville.gov/zoom. This portion of the meeting is held electronically. 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. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

Call to Order/Roll Call Magill absent

Agenda Approval APPROVED 4-0 (WADE/PINKSTON)

Reports

1. Report: JAUNT Update
2. Report: Vibrant Community Fund update

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

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

Vote to certify closed session APPROVED 4-0 (PINKSTON/PAYNE)

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. Reservation requests may also be made by contacting the Clerk of Council office at clerk@charlottesville.gov or 434-970-3113.

Moment of Silence

Announcements

Recognitions/Proclamations

Board/Commission Appointments APPROVED 4-0 (PAYNE/PINKSTON)

Consent Agenda*

3. Resolution: United Way reimbursement of Community Resource Hotline Staff Costs - \$26,333.76 (2nd reading) APPROVED 4-0 (WADE/PINKSTON)
4. Resolution: Virginia Department of Social Services (VDSS) Temporary Aid to Needy Families Grants - \$100,000 (1 of 2 readings)
5. Resolution: Housing Opportunities for People with AIDS/HIV Grant Amendment - \$3,981 (1 of 2 readings)
6. Resolution: Blue Ridge Area Coalition for the Homeless (BRACH) reimbursement of funds for staff costs to support the Homeless Information Line - \$15,381.60 (1 of 2 readings)

City Manager Report

Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration is available for the 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. Virtual participants must register to attend the meeting at www.charlottesville.gov/zoom.

Action Items

7. Public Hearing/Res.: Review of Program Performance and Setting Priorities for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds for Program Year 2023-2024
 - a. Resolution: #R-22-114 Approving the 2021 Consolidated Annual Performance and Evaluation Report (CAPER) (1 reading) APPROVED 4-0 (PINKSTON/WADE)
 - b. Resolution: #R-22-115 Establishing Council Priorities for CDBG and HOME Funds FY 2023-2024 (1 reading) APPROVED 4-0 (PINKSTON/WADE)
8. Public Hearing/Ord.: Air Rights Conveyance to University of Virginia for Pedestrian Bridge over Emmet Street (1 reading)
9. Ordinance: #O-22-116 Reducing speed limit on a portion of Cherry Avenue (1 reading) APPROVED 4-0 (WADE/PINKSTON)
10. Resolution: #R-22-117 Special Use Permit request at 2005/2007 Jefferson Park Avenue and 104 Observatory Avenue (1 reading) APPROVED 4-0 (PINKSTON/WADE)
11. Resolution: #R-22-118 Harmony Ridge Subdivision Street Acceptance (1 reading) APPROVED 4-0 (PINKSTON/WADE)
12. Resolution: Appropriation of \$656,000 of CARES funding for Charlottesville Area Transit (1 of 2 readings)
13. Resolution: Appropriation from Charlottesville Area Transit local funding to Thomas Jefferson Planning District Commission to support the Governance Study - \$30,000 (1 of 2 readings)
14. Resolution: #R-22-119 Approval of the Fifth Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (CSRAP) (1 reading; carried from September 6) APPROVED 3-0 (PINKSTON/PAYNE; Wade absent)
15. Resolution: #R-22-120 Appropriating \$675,000 in Charlottesville Supplemental Rental Assistance Program (CSRAP) Funding (FY23) for use in acquisition of property (2nd reading) APPROVED 4-0 (PINKSTON/WADE)
16. Resolution: Appropriating Charlottesville Supplemental Rental Assistance Program (CSRAP) funding for the acquisition of 818 Montrose Avenue - \$355,000 (1 of 2 readings)

General Business

Other Business

Community Matters (2)

Adjournment

RESOLUTION

Appropriating the Amount of \$26,333.76 Received from The United Way, as reimbursement of Community Resource Hotline Staff Costs

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received reimbursement from the United Way of Greater Charlottesville in the amount of **\$26,333.76**;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of **\$26,333.76** is hereby appropriated in the following manner:

Revenues

\$26,333.76 Fund: 213 Cost Center: 3411001000 G/L: 451022

Expenditures

\$26,333.76 Fund: 213 Cost Center: 3411001000 G/L: 599999

**RESOLUTION Approving
2021 Consolidated Annual Performance and Evaluation Report (CAPER)**

WHEREAS, the City of Charlottesville has been advised of the approval by the U.S. Department of Housing and Urban Development of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding for the 2021-2022 fiscal year; and

WHEREAS, City Council approved a Consolidated Plan for the City/Planning District, covering the period 7-1-2018 through 6-30-2023; and

WHEREAS, grantees report on accomplishments and progress at the end of each program year in the Consolidated Annual Performance and Evaluation Report (CAPER);

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the 2021 Consolidated Annual Performance Evaluation Report is approved.

RESOLUTION
Establishing Council Priorities for
CDBG and HOME Funds FY 2023-2024

WHEREAS, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2023; and

WHEREAS, in accordance with the City of Charlottesville's Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2023;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2023-2024 shall be as follows:

- Council's priorities for the CDBG and HOME program for FY 2023-2024 shall be access to affordable housing (including but not limited to low income housing redevelopment), workforce development (including but not limited to efforts to bolster Section 3 training opportunities and partnerships with the City's GO programs), microenterprise assistance, access to quality childcare, homeowner rehabilitation, and down payment assistance.
- For FY 23-24, \$89,896.51 CDBG entitlement shall be set aside for Economic Development
- For FY 23-34 \$89,896.51 CDBG Entitlement shall be set aside for Public Facilities and Improvements.
- The CDBG Admin and Planning budget shall be set at 20% of the total CDBG entitlement.

ORDINANCE
AMENDING AND REORDAINING SECTION 15-99 OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO REDUCE THE SPEED LIMIT ON CHERRY AVENUE

WHEREAS the City’s Traffic Engineer has prepared a report entitled “Cherry Avenue Engineering and Traffic Investigation Speed Analysis”, dated September 1st, 2022, for the City Engineer, who concurs with the recommendations made by the Traffic Engineer for appropriate speed limits (from an engineering and safety standpoint) on Cherry Avenue from Cleveland Avenue to Ridge Street, and

WHEREAS the traffic engineer notes that existing speed and character of the streets indicates that need to reduce the speed limit on this public street. Now, therefor,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that Section 15-99 of Article IV (Speed Limits) of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and re-ordained with a change to the established speed limit for Cherry Avenue, as follows:

Sec. 15-99. Maximum limits on specific streets

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

...

Street	From	To	Speed Limit (MPH)
Cherry Avenue	Cleveland	1st Street <u>Roosevelt Brown Boulevard</u>	35 <u>25</u>
<u>Cherry Avenue</u>	<u>Roosevelt Brown Boulevard</u>	<u>Ridge Street</u>	<u>30</u>

RESOLUTION

**Granting a Special Use Permit (SUP) for Property Located at
2005/2007 Jefferson Park Avenue and 104 Observatory Avenue**

WHEREAS Norman Lamson, as Trustee for the Gadiant JPA Land Trust (“Landowner”) is the owner of certain land identified within City real estate assessment records by Parcel Identification numbers 170104000, 170103100, and 170103000, respectively, currently addressed as “2005/2007 Jefferson Park Avenue” and “104 Observatory Avenue” (collectively referred to as the “Property”), and the Landowner, proposes to redevelop the Property to accommodate a 119-unit multifamily building with underground parking, and

WHEREAS to facilitate this redevelopment, the Landowner seeks City Council’s approval of a Special Use Permit to increase allowable residential density to 70 DUA, to increase building height from 45 feet to 75 feet, to reduce the rear-yard setback from 75 feet to 36 feet, and to reduce (lower by 22%) the amount of on-site parking required by City Code Sec. 34-984 (the “Project”); and

WHEREAS the Applicant seeks a Special Use Permit under City Code Secs. 34-420, 34-353(3), and 34-162(a), which collectively, allow the increased residential density, additional building height, and modified [reduced] setbacks and onsite parking requirements for the Project; and

WHEREAS the Property is located within the R-3 zoning district, a district in which, according to the Use Matrix set forth within City Code §34-420, the Project as proposed may be authorized by City Council by means of a special use permit; and

WHEREAS the Project is described in more detail within the application materials submitted by the Landowner in connection with SP22-00001(“Application Materials”); and

WHEREAS, the Planning Commission and City Council conducted a joint public hearing on May 10, 2022, after notice and advertisement as required by law; and

WHEREAS following the joint public hearing, the Planning Commission considered and recommended approval of this application at their May 10, 2022 meeting; and

WHEREAS upon consideration of the Planning Commission’s recommendation, the City Staff Report, comments received at the joint public hearing, and 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 regulations and safeguards 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) Not more than seventy (70) dwelling units per acre (DUA) shall be permitted within the area of the Property.
- (2) The rear-yard setback applicable within the Property shall be thirty-six (36) feet, and a

twenty-five (25) foot buffer shall be provided within the rear yard, to include mature trees and shrubs at the time of planting consistent with the plant materials prescribed for an “S-3” buffer (as listed in City Code §34-871, as in effect on the date of approval of this SUP). The S-3 buffer, and plant materials, shall be detailed within the final Site Plan. Within the rear setback Landowner shall consider construction of a multipurpose path (for bicycles and pedestrians) linking Washington Avenue and Observatory Avenue within the rear setback, in order to establish the block-level scale of the Project as represented within the Application Materials.

- (3) The Landowner shall construct within the Project, along Jefferson Park Avenue, a new seven (7) foot sidewalk with a three (3) foot curbside buffer in accordance with the standards set forth within the City’s Streets that Work Plan.
- (4) The Landowner, in consultation with the City’s Traffic Engineer, shall develop a Master Parking Plan for the site related to the reduction of onsite parking by 22% from what is required by Sec. 34-984 (in effect on the date of Council’s approval of this Special Use Permit). The Master Parking Plan shall indicate how available parking spaces will be distributed within the Project, how residents of the Project are informed of their parking opportunities, any offsite parking options for residents, and other potential issues associated with parking. The Master Parking Plan shall be provided as a component of the final approved site plan for the Project, and any subsequent amendments approved to the Master Parking Plan shall be made in consultation with the City’s Traffic Engineer and a copy maintained along with the final approved site plan, within the zoning file for the Property.
- (5) The Landowner shall upgrade the pedestrian crossing of Jefferson Park Avenue at Harmon Street during construction of the Project, to provide residents within the Project safe access to public transit options. The Landowner shall work with the City’s Traffic Engineer to determine the scope of improvements.
- (6) The arrangement of the buildings within the Property shall be generally consistent with the layout and design presented within the Application Materials for SP22-00001.

RESOLUTION

Accepting the improved public street right-of-way named “Harmony Ridge Lane” and “Alto Place” into the City’s public street system for operation and maintenance

WHEREAS new portions of the Harmony Ridge development have been completed by Habitat for Humanity and that developer has asked the City to accept the improvements constructed within the public street rights of way for Harmony Ridge Lane and Alto Place into the City’s public street system;

WHEREAS City staff has inspected the improvements constructed within the public street rights of way referenced above, and has determined that these improved public street sections have been built to the specifications and standards required by the city approved plans, and the City Engineer recommends that they be accepted into the City’s public street system; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new constructed public street sections within the Harmony Ridge development, specifically Alto Place and Harmony Ridge Lane, are hereby accepted into the City’s public street system for operation and maintenance.

RESOLUTION
APPROVING THE FIFTH AMENDED GRANT AGREEMENT FOR THE
CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE PROGRAM
FOR THE FISCAL YEAR BEGINNING JULY 1, 2022

WHEREAS, on June 19, 2017 the City of Charlottesville approved the creation of the city-funded Charlottesville Supplemental Rental Assistance Program (“CSRAP”), and on April 12, 2022 City Council approved an allocation of \$900,000 from Capital Improvement Program funds to be used for the CSRAP program, which will be administered by CRHA; and

WHEREAS, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority (“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2022 which has been reviewed by City Council this same date;

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

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2022, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

RESOLUTION

Appropriating \$675,000 of the FY23 CSRAP budget allocation to be used by CRHA for acquisition of 1016 and 1020 Coleman Street as permanent units of affordable housing

WHEREAS pursuant to Virginia Code §36-19 (2) and (4) the Charlottesville Redevelopment and Housing Authority has the power and authority to acquire real estate for residential use, and to operate buildings for residential occupancy; and

WHEREAS pursuant to Virginia Code §36-6 and §36-7 the City of Charlottesville is authorized to lend or donate money to CRHA to enable CRHA to carry out its purposes; and

WHEREAS CRHA is requesting the City Council to provide the amount of \$675,000 to fund the acquisition of residential buildings located at 1016 and 1020 Coleman Street, and the requested amount of funding is available within the City's FY23 budget for the CSRAP Program; and

WHEREAS City Council desires that its donation of funding be used to acquire dwelling units that will be permanently reserved for use as affordable dwelling units; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE THAT the amount of \$675,000 is hereby appropriated from the FY23 Budget for the CSRAP Program, to be donated to the Charlottesville Redevelopment and Housing Authority ("CRHA") for use in acquiring land and buildings (together, "Real Estate") located at 1016 and 1020 Coleman Street. It shall be a condition of this donation that, immediately following the recordation of an instrument conveying title to the Real Estate to CRHA, CRHA shall record a covenant restricting the use of the Real Estate to residential uses, and requiring that all dwelling units located on the Real Estate will be affordable dwelling units. The City Manager will provide CRHA with a declaration of covenants to accomplish the land use restriction, which shall be executed by CRHA and recorded on the same date as the instrument by which CRHA obtains title to the Real Estate.