

CHARLOTTESVILLE CITY COUNCIL MEETING

April 4, 2022 at 4:00 PM

Electronic/virtual meeting via Zoom

The Charlottesville City Council met in an electronic meeting on Monday, April 4, 2022, in accordance with a local ordinance amended and re-enacted on March 7, 2022, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Lloyd Snook called the meeting to order at 4:01 p.m. and Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Sena Magill, Michael Payne and Brian Pinkston.

On motion by Magill, seconded by Wade, Council voted 5-0 to ADOPT the meeting agenda (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

REPORTS

1. REPORT: Affordable Housing discussion

Deputy City Manager Sam Sanders made a presentation, joined by Alex Ikefuna and Erin Atak from the Department of Community Solutions, who helped to answer Council questions.

Mr. Sanders reviewed the HR&A Advisors report which was discussed at the March 21, 2022 City Council Meeting and discussed what was learned from the report, including opportunities for:

- tracking the number of affordable units that still exist, or for how long
- develop a good in-house compliance program internally
- put in place better agreements
- protect consistency in execution of agreements
- develop a comprehensive housing policy
- improve working relationships with funded partners
- clearly define affordable housing.

Regarding planning, Mr. Sanders advised that he regards the Affordable Housing Plan as a good document. He reviewed current, pending and future commitments of funding for City Council consideration. Regarding the Charlottesville Affordable Housing Fund (CAHF), he stated that the following action items will be needed:

- Housing Advisory Committee (HAC) restructuring
- CAHF Committee establishment
- Align with the Vibrant Community Fund
- Enhance staff capacity
- Maintain data analysis
- Impact investment recommendations
- Relationship building and repair

He presented a flowchart of how funds move through the system and shared areas of opportunity regarding proffers.

Mr. Sanders reviewed the structure of the Office of Community Solutions, stating that there are three full-time-equivalent positions: Housing Manager, Compliance Coordinator, and Redevelopment Manager. He then shared the Department of Housing and Urban Development definition of affordable housing, “80% of Area Median Income”, and data specific to Charlottesville, closing the presentation with affordable versus attainable decision points for the future.

CLOSED SESSION

On motion by Magill, seconded by Pinkston, Council voted 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section 2.2-3711(A)(1) and (A)(8), for consideration of future appointments by Council to the City’s planning commission, and legal consultation regarding compliance with requirements of Va. Code 15.2-2212.

On motion by Magill, seconded by Pinkston, Council certified by the following vote: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; 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.

BUSINESS SESSION

Having established quorum with all councilors present, Council observed a moment of silence.

ANNOUNCEMENTS (and Update from Blue Ridge Health Department)

Councilor Magill announced Alex Zan’s "My Help List" writing contest; the upcoming Take Back the Night Vigil on April 8 and other events in April; and congratulated Clerk of Council Kyna Thomas for being recognized as a woman leader by the Chamber of Commerce for Women's History Month.

Denise Bonds, Blue Ridge Health District Director, provided an update on Covid data, advising that much of Virginia, including Charlottesville is in the low level for community spread. She shared recommendations from the CDC (Centers for Disease Control) and advised on ways to stay safe: vaccine, upgrading mask to KN95, keeping distance (6 feet is best), and washing hands.

RECOGNITIONS/PROCLAMATIONS

• PROCLAMATION: Child Abuse Prevention Month

Mayor Snook presented a proclamation for Child Abuse Prevention Month. Sue Moffett, Director of the Department of Human Services, accepted the proclamation with remarks.

CONSENT AGENDA*

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

- 2. RESOLUTION: Approving appropriation of the Annie E. Casey Foundation Family Engagement Support Stipend Grant - \$15,000 (2nd reading)

RESOLUTION

Appropriating Grant Funding in the Amount of \$15,000, Received from the Annie E. Casey Foundation to the City’s Family Engagement Support Stipend Program

WHEREAS, the City of Charlottesville has been awarded \$15,000 from the Annie E. Casey Foundation;

WHEREAS, the funds will be expended to provide stipends and material supports for community members involved in Probation Transformation projects undertaken by the Human Services Department in collaboration with other local organizations. The grant award covers the period from November 1, 2021 through November 30, 2022;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the funding from the Annie E. Casey Foundation, the grant funding in the amount of \$15,000 is hereby appropriated as follows:

Revenues

\$15,000 Fund: 210 IO: 1900453 G/L: 451022

Expenditures

\$15,000 Fund: 210 IO: 1900453 G/L: 599999

- 3. RESOLUTION: Approving an appropriation for COVID Homelessness Emergency Response Program Funding (CHERP) - \$200,000 (2nd reading)

RESOLUTION

Appropriating COVID Homelessness Emergency Response Program (C.H.E.R.P.) Community Development Block Grant Funding Received from the Commonwealth in the Amount of \$200,000

WHEREAS, The City of Charlottesville’s Department of Human Services, has received C.H.E.R.P. Grant funding from the Virginia Department of Housing and Community Development, in the amount of **\$200,000**.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the CHERP Grant funding, the sum of **\$200,000** is hereby appropriated for expenditure by the City’s Department of Human Services in accordance with grant requirements, in the following manner:

Revenues

\$200,000 Fund: 209 IO: 1900448 G/L: 430120 Federal Pass Thru

Expenditures

\$200,000 Fund: 209 IO: 1900448 G/L: 530550 Contracted Services

4. RESOLUTION: Appropriating funds from the Charlottesville Albemarle Technical Education Center for CATEC kitchen floor repair - \$75,000 (2nd reading)

RESOLUTION

Appropriating Funds in the amount of \$75,000 to the CATEC Kitchen Floor Project

WHEREAS, the Charlottesville Albemarle Technical Education Center (CATEC) has delivered a monetary contribution to the City, in the amount of \$75,000, to be expended for the CATEC Kitchen Floor Project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, THAT funding in the amount of **\$75,000** received by the City of Charlottesville from CATEC is to be appropriated in the following manner:

Revenues - \$75,000

Fund: 107 Funded Program: FR-001 (P-01059-08) G/L Account: 432030

Expenditures - \$75,000

Fund: 107 Funded Program: FR-001 (P-01059-08) G/L Account: 599999

5. RESOLUTION: Appropriating grant funding of \$94,276 from Virginia Department of Conservation and Recreation for development of a Flood Resilience Plan, and authorizing the City Manager to execute a Grant Agreement (2nd reading)

RESOLUTION

Appropriating grant funding in the amount of \$94,276 received from the Virginia Department of Conservation and Recreation for development of a Flood Resilience Plan, and authorizing the City Manager to execute a Grant Agreement

WHEREAS, the City of Charlottesville has been awarded **\$94,276** from the Virginia Department of Conservation and Recreation for the development of a flood resilience plan; and

WHEREAS, the grant requires a local match in the amount of \$31,425, which will be satisfied as follows: cash/contractual contribution in the amount of \$18,855, to be contributed from funds previously appropriated for expenditure within the Public Works operational budget, and the value of in-kind staff hours (\$12,640);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the awarded grant funding from the Virginia Department of Conservation and Recreation, the sum of \$94,276 is hereby appropriated for expenditure within the Department of Public Works, for the development of a flood resilience plan, as follows:

Revenues - \$113,131

\$94,276	Fund: 209	I/O: 1900454	G/L Account: 430110
\$18,855	Fund: 209	I/O: 1900454	G/L Account: 498010

Expenditures - \$113,131

\$94,276	Fund: 209	I/O: 1900454	G/L Account: 599999
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Transfers

\$18,855	Fund: 641	Fund Center: 64111001000	G/L Account: 530670
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BE IT FURTHER RESOLVED that City Council hereby approves the terms of the grant agreement between the Virginia Resources Authority and the City of Charlottesville (CFPF-21-02-32) and authorizes the City Manager to execute the grant agreement and other related documents, requisitions or agreements, on behalf of the City; provided that the City Manager may delegate signature authority to a Deputy City Manager. City Council hereby further approves the in-kind staff contribution and cash local match described above.

- 6. RESOLUTION: Appropriating funding for American Rescue Plan eligible local activities - \$536,553.97 (2nd reading)

**RESOLUTION APPROPRIATING FUNDING FOR
American Rescue Plan for Eligible Local Activities - \$536,553.97**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$536,533.97 from American Rescue Plan funding is hereby designated to be available for expenditure for costs associated with following eligible purposes and amounts:

Operational costs for portable air sanitizing units.	\$62,000.
Department of Social Services Technology needs.	\$6,000.
Fire Department communications equipment.	\$60,000.
City Manager’s Office improvements.	\$92,000.
City Council Chambers improvements.	\$20,000.
Hotline coordinator.	\$138,000.
City Hall Ambassadors.	\$51,053.97.
City Hall Lobby/1 st Floor improvements.	\$100,000.
Additional cleaning supplies/equipment Fire Department.	\$7,500.
TOTAL.	\$536,553.97.

Revenues - \$536,553.97

Fund: 207 Cost Center: 9900000000 G/L Account: 430120

Expenditures - \$536,553.97

Fund: 207	I/O:1900455	G/L Account: 599999	\$62,000
Fund: 207	I/O:1900456	G/L Account: 599999	\$6,000
Fund: 207	I/O:1900457	G/L Account: 599999	\$60,000
Fund: 207	I/O:1900458	G/L Account: 599999	\$92,000
Fund: 207	I/O:1900459	G/L Account: 599999	\$20,000
Fund: 207	I/O:1900421	G/L Account: 599999	\$138,000
Fund: 207	I/O:1900442	G/L Account: 599999	\$51,053.97
Fund: 207	I/O:1900460	G/L Account: 599999	\$100,000
Fund: 207	I/O:1900461	G/L Account: 599999	\$7,500

7. RESOLUTION: Appropriating funding received from the Virginia Department of Social Services for Driving and Transportation Assistance for Foster Care Youth -\$13,877 (carried)
8. RESOLUTION: Appropriating additional funding received from the Virginia Department of Social Services for the Promoting Safe and Stable Families Program - \$16,435 (carried)
9. RESOLUTION: Appropriating Virginia Tourism Corporation American Rescue Plan Act supplemental funds for the Charlottesville Albemarle Convention and Visitors Bureau - \$280,000 (carried)
10. RESOLUTION: Authorizing a refund of \$12,866.44 to a taxpaying entity or business, for business license taxes paid in error for 2020 (carried)
11. RESOLUTION: Approving a minor amendment to the City's FY2020-2021 CDBG Action Plan, to authorize the Charlottesville Redevelopment and Housing Authority to implement a contingency plan to expend its Community Development Block Grant funding on or before June 30, 2026

RESOLUTION

Approving a minor amendment to the City's FY2020-2021 CDBG Action Plan, to authorize the Charlottesville Redevelopment and Housing Authority to implement a contingency plan to expend its CDBG funding on or before June 30, 2026

WHEREAS on May 7, 2018 the Charlottesville City Council approved a Consolidated Plan for the City of Charlottesville and the Thomas Jefferson Planning District, covering the period from July 1, 2018 through June 30, 2023, which sets forth a plan to provide support for certain community development needs—including, but not limited to—housing needs, within those jurisdictions; and

WHEREAS the Consolidated Plan includes a citizen participation plan, and Sec. 2-419(10) specifies that, once City Council has approved and funded a program, any

reprogramming and budgetary changes will be done consistent with the approved citizen participation plan;

WHEREAS the Consolidated Plan is implemented during the coverage period through certain “Action Plans”, the most recent of which is designated as the “FY 2020-2021 Action Plan” previously approved by resolution of City Council on May 3, 2021; and

WHEREAS within the FY2020-2021 Action Plan the Charlottesville Redevelopment and Housing Authority was selected as a subrecipient of CDBG-CV3 funding from the City, in the amount of \$91,485.94, to pay for up to six months’ worth of emergency covid related rental assistance, with a target of June 30, 2026, for expenditure of the funding in accordance with the approved project; and

WHEREAS the Charlottesville Redevelopment and Housing Authority (CRHA) requests a modification of their approved project, to provide six month emergency rental assistance to 100 income qualified families to prevent, prepare for, and respond to the coronavirus, and CRHA represents that the modification is necessary to allow for the timely expenditure of all awarded funding by June 30, 2026 (“contingency plan”), and federal regulations specify that this type of modification must be approved by City Council as a minor amendment of the City’s FY2020-2021 Action Plan; and

WHEREAS the requested Minor Amendment of the FY2020-2021 Action Plan does not change the amount of CDBG funding previously approved for CRHA; and

WHEREAS this Council is satisfied on the basis of the information presented within the staff report, that the proposed Minor Amendment of the FY2020-2021 Action Plan has been brought forward in accordance with the approved citizen participation plan, as required by City Code §2-419(10); now, therefore

BE IT RESOLVED that the Charlottesville City Council hereby approves a Minor Amendment of the City’s FY2020-2021 Action Plan, to authorize CRHA the Charlottesville Redevelopment and Housing Authority to expend their remaining **balance (\$60,938.28)** of CDBG-CV3 funding on an expanded scope of work to assist 100 families that are at risk of being evicted with up to six months of covid rental emergency rental assistance.

12. REPORT: Land Use and Environmental Planning Committee (LUEPC) Semi-annual Report

On motion by Wade, seconded by Magill, Council by the following vote **ADOPTED** the Consent Agenda: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

CITY MANAGER REPORT

Interim City Manager Michael C. Rogers advised that future City Manager Report items will be in written format to include in the agenda packet.

Deputy City Manager Ashley Marshall advised of key hiring processes: Director of

Communications and Public Engagement, Director of Human Resources, Director of Social Services, Director of Information Technology, internship program, and the ICMA Fellow. She shared specific activities in a variety of city departments under her purview.

Deputy City Manager Sam Sanders shared an update on a number of department initiatives under his purview, including that the Neighborhood Leaders group will resume a quarterly meeting schedule beginning April 28. He advised that Greenhouse gas emissions data has been updated on the city website.

COMMUNITY MATTERS

Mayor Snook opened the floor for public comment. There were no speakers.

ACTION ITEMS

13. PUBLIC HEARING: Amending and re-ordaining Chapter 9 (Elections), Section 9-31 (Central Absentee Voter District) to change the location of the Central Absentee Voter Precinct from City Hall to CitySpace (carried to 2nd reading in May 2022)

Taylor Yowell, Voter Registrar, provided a summary of the request and requirements. She advised that on election day this would be the place where absentee votes are counted only - not where citizens vote. The request is for a permanent change because of an increase in early voting and election officials.

Mayor Snook opened the public hearing. With no speakers coming forward, Mayor Snook closed the public hearing and noted that the item will come back before Council for a vote on May 2 or thereafter.

14. PUBLIC HEARING/ORDINANCE: Consideration of an amendment to City Code Section 30-283 to increase the local excise tax imposed upon the sale of meals from 6% to 6.5% (carried)

Mayor Snook provided a summary of the ordinance. He then opened the public hearing. With no speakers coming forward, Mayor Snook closed the public hearing. The item carried to the April 12 special meeting.

15. PUBLIC HEARING/ORDINANCE: FY2023 City Budget and annual appropriation (carried)

Mr. Rogers summarized the budget items that have been discussed by Council to date.

Krisy Hammill, Senior Budget and Management Analyst gave a brief presentation showing revised revenue projections, the FY23-27 Proposed Capital Improvements Plan, potential Capital Improvement Plan amendments. She announced the April 7 Budget Work Session.

Mayor Snook opened the public hearing.

1. Alexander Bruner, city resident, spoke in support of increasing police funding and provided data for consideration.

2. Sarah Hart, city resident, spoke in support of full funding for the Buford Middle School reconfiguration. She spoke in support of an increase in real estate and meals taxes to accomplish this goal.
3. Brad Slocum, non-city resident working in Charlottesville, spoke in support of funding for improving transit, and funding the transit study. He proposed that "overbudgeting of police operations" be shifted to procure electronic buses for CAT fleet.

Mayor Snook closed the public hearing. The item carried to the April 12 special meeting.

16. ORDINANCE: Appropriating state funds for the State of Good Repair Program project account for Dairy Road Bridge Replacement - \$7,210,664.00 (carried)

Tony Edwards made the presentation.

In response to a question from Councilor Pinkston, Mr. Edwards and Ms. Hammill advised that the funding is completely from the State and will be added to the Capital Improvement Plan.

The item carried to the April 18 consent agenda.

17. RESOLUTION: Charlottesville Affordable Housing Fund (CAHF) and Housing Advisory Committee (HAC) structure clarification

Councilor Pinkston made a disclosure statement regarding a family member's employment with LEAP (Local Energy Alliance Program), advising that he has no partiality on this item and will participate in the discussion.

Alex Ikefuna presented the requests.

a. Resolution*: Amending and re-enacting the City-Council advisory body known as the Housing Advisory Committee

Council discussed the Charlottesville Redevelopment and Housing Authority having a seat on the HAC and City Attorney Robertson added that CRHA is more of a governmental authority rather than a non-profit entity. Council amended resolution to designate a seat for CRHA

On motion by Magill, seconded by Wade, Council by the following vote Approved the resolution: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION
Amending and re-enacting the City-Council advisory body known as the Housing Advisory Committee

WHEREAS the City Council first established an advisory body known as the Housing Advisory Committee (HAC) in 1978, and the composition of the HAC and the matters upon which City Council desires to receive input and recommendations from the HAC have from time to time been modified between 1978 and the present; and

WHEREAS on March 1, 2021, this Council approved an Affordable Housing Plan for

the City, the recommendations of the AHP were incorporated into the Comprehensive Plan adopted by the City Council on November 15, 2021, and the recommendations included restructuring the Housing Advisory Committee (HAC); now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that there is hereby re-established an advisory body to the Charlottesville City Council, known as the Housing Advisory Committee (HAC), and the HAC shall have the following purposes and membership:

1. Purposes: the purposes of the HAC shall be:
 - a. to advise the City Council as to affordable housing needs that are not being served within the City of Charlottesville,
 - b. recommend ways to encourage the for-profit housing sector to provide a variety of affordable housing opportunities,
 - c. advise City Council as to the need to improve or delete existing programs, support, or assistance,
 - d. advise City Council on the potential for regional, interjurisdictional cooperation in affordable housing programs.

2. Membership: membership of the HAC shall be appointed by City Council for 2-year terms, subject to the term limits set forth within City Code 2-8. Membership within Category 1 shall be limited to nonprofit entities, who may designate the individual who will represent their entity on the membership of the HAC. If there exist no more than three (3) active nonprofit housing providers within the City when a vacancy exists, then City Council will not be bound by the term limits within City Code §2-8 in filling the vacancy. Within each category of membership, the terms shall be staggered so that not more than one of the terms will expire in any 12-month period.

Membership Group/Background	Number
Category 1: Charlottesville Redevelopment and Housing Authority and two non-profit entities who are actively engaged in the construction or renting of affordable housing units within the City	3
Category 2: Real Estate professionals (may include brokers, lenders, for-profit developers, architects, etc.)	3
Category 3: At-Large community members	2
Category 4: Affordable Housing beneficiaries	3
Total	11
City Council Member	Non-Voting Member

b. Resolution*: Establishing a City Council Advisory body to be known as The Charlottesville Affordable Housing Fund Committee

On motion by Magill, seconded by Wade, Council by the following vote Approved the resolution: 5-0 (Ayes: Magill, Payne, Pinkston, Snook, Wade; Noes: none).

RESOLUTION
Establishing a City Council Advisory Body to be known as
The Charlottesville Affordable Housing Fund Committee

WHEREAS on March 1, 2021, this Council approved an Affordable Housing Plan for the City, the recommendations of the AHP were incorporated into the Comprehensive Plan adopted by the City Council on November 15, 2021, and the recommendations included establishing a committee responsible for advising City Council on matters pertaining to the use and expenditure of funding within the Charlottesville Affordable Housing Fund (CAHF); now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that there is hereby established an advisory body to the Charlottesville City Council, to be known as the Charlottesville Affordable Housing Fund Committee (“CAHF Committee”), and the CAHF Committee shall have the following purposes and membership:

1. Purposes: the purposes of the CAHF Committee shall be:
 - a. to recommend to the City Council/ City administration suggested priorities for the use of CAHF funding,
 - b. to review the City administration’s recommendations for award(s) of CAHF funding,
 - c. to provide general input and oversight of the administration and effectiveness of the CAHF funding mechanism, including, without limitation, input as to the best ratio of grants to loans to be disbursed from CAHF, and
 - d. to recommend ways in which the City Council may ensure the sustainability and proper use of the CAHF over time,
2. Restrictions: No grants or loans from the CAHF shall be awarded to persons serving on the CAHF Committee, or to other legal entities of which any such person is a member, or in which such a person has a personal interest as the Virginia State and Local Government Conflict of Interests Act defines that term.
3. Membership: membership of the HAC shall be appointed by City Council for 2-year terms, subject to the term limits set forth within City Code 2-8.

Membership Group/Background	Number
At-Large community members	3
Affordable Housing beneficiaries	3
City staff	3
Total	9

18. RESOLUTION: Charlottesville Affordable Housing Fund (CAHF) Award Recommendations

Alex Ikefuna provided a summary of the process for award of Charlottesville Affordable Housing Funds (CAHF), a 2021-2022 budget item of \$750,000. Council agreed to move resolutions to the April 18 consent agenda for 2nd reading.

- a. Resolution: Allocating CAHF funds for Charlottesville Redevelopment and Housing Authority (CRHA) South First Phase Two - \$425,000 (carried)
- b. Resolution: Allocating CAHF funds for Habitat for Humanity of Greater Charlottesville Equity Homeownership Initiative 2022 Down Payment Assistance - \$75,000 (carried)
- c. Resolution: Allocating CAHF funds for Albemarle Housing Improvement Program (AHIP) Charlottesville Critical Repair Program - \$100,000 (carried)
- d. Resolution: Allocating funds from the Charlottesville Affordable Housing Fund for Local Energy Alliance Program (LEAP) Assisted Home Performance and Electrification Ready – Owner Occupied - \$50,000 (carried)
- e. Resolution: Allocating funds from the Charlottesville Affordable Housing Fund for Local Energy Alliance Program (LEAP) Assisted Home Performance and Electrification Ready – Renter Occupied - \$100,000 (carried)

19. ORDINANCE/RESOLUTION: 1613 Grove Street Extended – Consideration of requests from Landowner Lorven Investments, LLC, regarding approximately 0.652 acres of land, including multiple lots identified within 2021 City real estate records by Real Estate Parcel Identification Numbers 230133000, 230134000, and 230135000

Matt Alfele, City Planner, provided a summary of the request, advising that this is follow-up to discussion from the March 21 City Council meeting.

Councilor Payne stated that the depth and length of affordability were not enough for him to support.

a. Ordinance*: 1613 Grove Street Extended rezoning request (2nd reading)

On motion by Pinkston, seconded by Wade, Council by the following vote Adopted the ordinance: 4-1 (Ayes: Magill, Pinkston, Snook, Wade; Noes: Payne).

AN ORDINANCE APPROVING A REQUEST TO REZONE THE PARCEL OF LAND LOCATED AT 1613, 1611, AND 0 GROVE STREET, FROM R-2 (TWO FAMILY RESIDENTIAL) TO R-3 (MULTIFAMILY RESIDENTIAL)

b. Resolution*: 1613 Grove Street Extended Special Use Permit (2nd reading)

On motion by Pinkston, seconded by Wade, Council by the following vote Approved the resolution: 4-1 (Ayes: Magill, Pinkston, Snook, Wade; Noes: Payne).

**RESOLUTION GRANTING A SPECIAL USE PERMIT
FOR THE PROPERTY LOCATED AT 1613 GROVE STREET (TAX MAP 23,
PARCELS 133; 134; AND 135)**

WHEREAS Lorven Investments, LLC (“Landowner”) is the record owner of certain land identified on Tax Map 23 as Parcels 133, 134, and 135, collectively currently addressed as “1613, 1611, and 0 Grove Street Extended” (the “Property”), and, the Landowner, represented by Shimp Engineering, P.C., is requesting a Re-Zoning of the property, a Special Use Permit, and a Waiver of the Critical Slopes requirements of City Code Sec. 34-1120(b)(6)(b) in connection with Landowner’s plan to construct four low-rise apartment buildings on the Property; and

WHEREAS; The Landowner seeks a Special Use Permit under City Code Sec. 34-420 to allow for residential density of up to forty-three (43) dwelling units per acre (“DUA”) and an amendment to the yard requirements of City Code Secs. 34-353(a) and 34-353(b)(4); and

WHEREAS the Planning Commission considered and recommended approval of this application at their March 8, 2022 meeting, subject to conditions set forth within the staff report prepared for that meeting;

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, hereby approves a Special Use Permit for the Property, to allow construction of four low-rise apartment buildings by the Landowner, subject to the following conditions:

- (1) Up to 43 dwelling units per acre (DUA) are permitted on the Subject Properties with a maximum of two bedrooms per unit.
- (2) The restoration of Rock Creek as presented in the applicant’s narrative dated July 14, 2020 and revised September 29, 2021.
- (3) Modifications of yard requirements to:
 - Front yard: Twenty-five (25) feet.
 - North Side yard: Five (5) feet. South
 - Side yard: Fourteen (14) feet.
 - Rear yard: Twenty-five (25) feet.

c. Resolution*: 1613 Grove Street Extended Critical Slope Waiver (2nd reading)

On motion by Pinkston, seconded by Wade, Council by the following vote Approved the resolution: 4-1 (Ayes: Magill, Pinkston, Snook, Wade; Noes: Payne).

**RESOLUTION GRANTING A CRITICAL SLOPE WAIVER
FOR THE PROPERTY LOCATED AT 1613, 1611, AND 0 GROVE STREET (TAX MAP
23, PARCELS 133; 134; AND 135)**

WHEREAS Lorven Investments, LLC (“Landowner”) is the record owner of certain land identified on Tax Map 23 as Parcels 133, 134, and 135, collectively currently addressed as

“1613, 1611, and 0 Grove Street Extended” (the “Property”), and, the Landowner, represented by Shimp Engineering, P.C. , is requesting a Re-Zoning of the property, a Special Use Permit, and a Waiver of the Critical Slopes requirements of City Code Sec. 34-1120(b)(6)(b) in connection with Landowner’s plan to construct four low-rise apartment buildings on the Property; and

WHEREAS existing Critical Slopes located on the Property constitute 0.06 acres, or approximately 9 percent of the area of the parcels; and

WHEREAS the Planning Commission considered and recommended approval of this application at their March 8, 2022 meeting, subject to conditions set forth within the staff report prepared for that meeting;

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, hereby approves a Waiver of the Critical Slopes requirements for the Property, to allow construction of four low-rise apartment buildings by the Landowner, subject to the following conditions:

- (1) Site Plans (VESCP Plans) should include, at a minimum, 4 stages/phases of Erosion and Sediment (“E&S”) controls. The first phase shall include “Initial/Preliminary Controls” and also include special consideration and provisions for how the ‘creek’/’channel’ will be crossed throughout the project and how concentrated flows will outfall to the channel/culvert. Ideally outfall and site access (culvert work/tie in) would be established with rigorous independent E&S controls prior to the establishment of a sediment trap and associated conveyances. Any channels/diversions that convey ‘clear’ water to the channel shall be stabilized with sod on the ‘clear water’ side immediately after installation. The sequence shall dictate that no ‘benching’, or any disturbance of the slopes can occur until after the establishment of the trap and conveyances (Stage/Phase III).
- (2) “Super Silt Fence” (chain linked backing) shall be installed where perimeter silt fence is specified.
- (3) Any disturbance occurring outside of conveyances to the trap, in either sequence or space, planned or unforeseen, shall be immediately stabilized with sod (for pervious areas, utilities should have other “same day stabilization”).

Community Matters (2)

Mayor Snook opened the floor for public comment and the following members of the public spoke:

- Shelby Edwards, city resident, spoke about the Housing Advisory Committee and goals set in 2010 for affordable housing. She requested that PHAR retain its seat on the HAC.
- Brian Campbell, city resident, spoke about the police budget in comparison with Lynchburg, Virginia. He requested a deeper dive into police spending.
- Brad Slocum, Staunton resident commuting to Charlottesville, provided clarifying police budget data regarding his previous comments in the meeting.
- Don Gathers, city resident, spoke in support of in-person meetings. He asked for stipends for

Council-appointed board and committee members. He spoke about the police budget.

- David Treccariche, city resident & business owner, spoke in support of competitively sourcing applicants for the police department.

The meeting adjourned at 8:31 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council