



CITY COUNCIL AGENDA September 5, 2023

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

4:00 PM OPENING SESSION

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed 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. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

Call to Order/Roll Call

Agenda Approval

Reports

1. Report: City of Charlottesville Strategic Plan (Raftelis)

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

- Recognition: Award for Outstanding Achievement in Popular Annual Financial Reporting

Consent Agenda*

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. After the reading of the consent agenda, the mayor will open the floor for comments from the public on the items that were read. Speakers will have up to three minutes each to make comments before City Council votes on the consent agenda. Speakers must state their name and locality for the record.

2. Agenda: Resolution to appropriate Fiscal Year 2024 Fire Programs Aid to Localities Funding (Firefund) - \$209,603 (1 of 2 readings)
3. Resolution: Resolution to appropriate funds from the Department of Housing and Community Development - Virginia Homeless Solutions Program Grant \$539,369 (2nd reading)
4. Resolution: Resolution to appropriate funds from the Department of Criminal Justice Systems FREE GRANT School Security Officer: School Resource Officer Incentive Grant Program - \$150,000 (2nd reading)
5. Resolution: Resolution to appropriate funds from the Safe Routes to School Non-infrastructure Grant - \$33,150 (2nd reading)
6. Resolution: Resolutions to approve HOME-ARP FY 2023-2024 Action Plan and to appropriate funds of approximately \$347,404 (2nd reading)
 - a. Resolution: Resolution to Approve the FY 2023-2024 HOME-ARP Action Plan
 - b. Resolution: Resolution to Approve the appropriation of the HOME-ARP funding recommendations outlined in the FY 2023-2024 HOME-ARP Action Plan, in the amount of \$347,404.92

City Manager Report

- Report: Monthly Report

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. Comments on Public Hearing items are heard during the public hearing only.

Action Items

7. Ordinance: ~~Ordinance to approve 601 West Main Street Land Sale (2nd reading) - MOVING TO A FUTURE MEETING~~
8. Ordinance: Ordinance to rezone the properties located at 501-507 Cherry Avenue, 0 5th Street SW, and 0 6th Street SW (1 of 2 readings)
9. By Motion: Adoption of the 5-Year City of Charlottesville Organizational Strategic Plan

General Business

Other Business

Community Matters (2)

Adjournment



Strategic Plan Framework

Vision

To be a place where everyone thrives.

Commitment to Justice, Equity, Diversity, Inclusion

The City of Charlottesville is committed to implementing equitable practices and policies across all of its activities.



Strategic Outcome Areas



Climate Action

Charlottesville is a leader in improving the environment through implementation of its Climate Action Plan.



Housing

Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.



Public Safety

Charlottesville provides comprehensive, trusted public safety services and treats everyone with respect and dignity.



Economic Prosperity

Charlottesville develops strategies and economic development opportunities that drive economic prosperity for all.



Organizational Excellence

Charlottesville's well-trained and dedicated staff deliver excellent services to the community.



Recreation, Arts, Culture

Charlottesville provides, encourages, and supports a wide range of recreation, green space, arts, and cultural programs and opportunities.



Education

Charlottesville supports a broad and well-integrated set of educational opportunities that includes Charlottesville City Schools (CCS), other youth serving organizations, career technical education (CTE) providers, and Piedmont Virginia Community College (PVCC).



Partnerships

Charlottesville creates avenues for meaningful collaborations with partners and key stakeholders, such as the County, UVA, and nonprofits, to magnify positive community outcomes.



Transportation

Charlottesville provides a regional transportation system that increases mobility options and is reliable and affordable for all.



Government Finance Officers Association

Award for
Outstanding
Achievement in
Popular Annual
Financial Reporting

Presented to

**City of Charlottesville
Virginia**

For its Annual Financial Report
For the Fiscal Year Ended

June 30, 2022

Christopher P. Morrill

Executive Director/CEO

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 5, 2023
Action Required:	Appropriation
Presenter:	Mike Rogers, Deputy Chief of Business Services
Staff Contacts:	Mike Rogers, Deputy Chief of Business Services
Title:	Resolution to appropriate Fiscal Year 2024 Fire Programs Aid to Localities Funding (Firefund) - \$209,603 (1 of 2 readings)

Background

The Code of Virginia provides for the collection of an annual levy each fiscal period from the insurance industry. Such levy is collected by the State Corporation Commission, and the amounts collected are then transferred into the Fire Program Fund (Firefund). These aid to locality monies are then distributed to the jurisdictions to supplement the localities funding for fire service based training, training supplies, training equipment, prevention activities, and some response equipment. This is an annual allotment of funding. All usage and any carryovers are reported out to the Department of Fire Programs at the end of the fiscal period before the next fiscal period monies are granted. The City of Charlottesville has been awarded \$209,603.00 in these funds for FY 2024.

Discussion

The Aid to Locality monies are distributed annually to aid departments in their training, prevention, and equipment efforts. While the monies cannot be used to directly/indirectly supplant or replace other locality funds, they help us to provide for additional firefighting training resources, logistics, courses, and equipment as outlined in the Department of Fire Programs Aid to Locality allowable uses chart.

Alignment with City Council's Vision and Strategic Plan

The Aid to Locality/Firefund allocation supports the City's mission "We provide services that promote equity and an excellent quality of life in our community" by providing supplemental training and equipment funding for fire prevention, firefighting, hazardous materials, and technical rescue. With this additional funding being put towards these purposes, we are better able to prepare our responders to deliver emergency services and/or information to the citizens, students, business community members, and guests of the City.

Community Engagement

N/A

Budgetary Impact

There is no impact on the General Fund, as these funds do not require a City match. The FY 2024 funds will be budgeted and expensed in the City's grant fund.

Recommendation

Staff recommends approval and appropriation these funds.

Alternatives

If Aid to Locality funding is not appropriated, the Fire Department will not be able to utilize this supplemental funding to help support its training, prevention, and equipment efforts.

Attachments

1. Firefund FY 2024 Resolution Attachment

APPROPRIATION

Fiscal Year 2024 Fire Programs Aid to Locality Funding (Firefund)

\$209,603.00

WHEREAS, the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$209,603.00 be appropriated in the following manner:

Revenues - \$209,603

\$209,603 Fund: 209 I/O: 1900010 G/L Account: 430110

Expenditures - \$209,603

\$209,603 Fund: 209 I/O: 1900010 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$209,603.00 from the Virginia Department of Fire Programs.

Approved as to Form:

Jacob P. Stroman

Jacob P. Stroman
City Attorney

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 5, 2023
Action Required:	Appropriation of DCHD VHSP Funds Approval for City Manager to sign Grant Agreement
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Department of Housing and Community Development - Virginia Homeless Solutions Program Grant \$539,369 (2nd reading)

Background

The Office of Community Solutions in coordination with the Blue Ridge Area Coalition for the Homeless (B.R.A.C.H.) applied for and received a grant from the Virginia Department of Housing and Community Development. The Virginia Housing Solutions Program award is \$539,369 and funds to be expended between July 1st, 2023 and June 30, 2024.

Discussion

The City of Charlottesville has staff from the Office of Community Solutions and the Department of Human Services serving on the B.R.A.C.H. Board of Directors. Virginia Homeless Solutions Program (V.H.S.P.) is an important resource in our community's efforts to end homelessness. The grant provides services in several points along the local continuum of services:

1. Coordinated Assessment: The Haven serves as the physical front door to the homelessness system of care, using an evidence-based tool for determining priority access to available resources.
2. Emergency Low Barrier Shelter P.A.C.E.M. provides a low-barrier shelter for adults using rotating local churches for support.
3. Rapid Re-Housing & Housing Navigation: The Haven screens and administers rapid re-housing assistance and housing navigation to households experiencing homelessness.
4. Case Management: The Haven provides supportive services including crisis intervention, case management and service referrals.
5. Homeless Management Information System (H.M.I.S.): The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with

B.R.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care (C.O.C.) has a well-populated database for individuals experiencing homelessness. H.M.I.S collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among B.R.A.C.H. Continu

m of Care Service Providers expedites communication and reduces the need to interface disparate documentation systems.

1. Coalition Coordination: The Blue Ridge Area Coalition for the Homeless provides leadership and coordination for the required local homelessness continuum of care.

1. Administration: The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to B.R.A.C.H. in recognition of staff time spent processing checks and managing this grant process.

Alignment with City Council's Vision and Strategic Plan

This grant advances the City of Charlottesville's Strategic Plan Goal #1 of an inclusive community of self-sufficient residents. Specifically, it will facilitate the objective of increasing affordable housing options.

Community Engagement

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This is a partnership between B.R.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (I.M.P.A.C.T.)

Budgetary Impact

This grant will be entirely State, and Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

Recommendation

Staff recommends approval and appropriation of grant funds. Staff recommends the signing of the grant agreement by the city Manager or delegate to accept the grant funds from the Department of Housing and Community Development.

Suggested Motion: " I move to APPROVE the appropriation of the DHCD Virginia Homeless Solutions Program funds in the amount of \$539,369 for fiscal year 2024 and approve that the City Manager sign the appropriate grant agreement accepting the VHSP funds from DHCD"

Alternatives

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing a housing crisis: Emergency low-barrier shelter, coordinated assessment, rapid rehousing, H.M.I.S., coalition coordination and administration.

Attachments

1. VHSP Resolution FY24

RESOLUTION

Appropriating Funding in the Amount of \$539,369 To Be Received from Virginia Homeless Solutions Program

WHEREAS, The City of Charlottesville, through the Office of Community Solutions, has been notified that it will be awarded an additional grant from the Virginia Housing Solutions Program (V.H.S.P.) Fund of the Virginia Department of Housing and Community Development, in the amount of \$539,369.


NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the additional VHSP funding from the Commonwealth, said funding, anticipated in the sum of \$539,369, is hereby appropriated in the following manner:

Revenues			
\$444,062	Fund 209	Order 1900475	GL 430110 State Grant
\$95,307	Fund 209	Order 1900475	GL 430120 State (Federal pass-thru)

Expenditures			
\$539,369	Fund 209	Order 1900475	GL 530550 Contractual
Services			

BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of \$539,369 in funds from the Virginia Department of Housing and Community Development.

Approved as to form:



City Attorney

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 5, 2023
Action Required:	Appropriation of Funding Approval of City Manager Signature on Statement of Grant Award and Applicable Grant Agreements
Presenter:	Taylor Harvey-Ryan, Grants Program Manager, Kim Powell - Schools
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Department of Criminal Justice Systems FREE GRANT School Security Officer: School Resource Officer Incentive Grant Program - \$150,000 (2nd reading)

Background

The Office of Community Solutions in coordination with the Charlottesville City Schools applied for and received a grant from the Virginia Department of Criminal Justice Services (DCJS). The FREE GRANT FY24 School Security Officer: School Resource Officer (SSO: SRO) Incentive Grant Program total allocations is \$150,000 to be expended between July 1, 2023 and June 30, 2024.

Discussion

Charlottesville City Schools currently employs seven (7) Care and Safety Assistants (CSA's), which are Department of Criminal Justice Services (DCJS) certified School Security Officers (SSOs). The seven CSA's are currently distributed across Charlottesville City Schools as follows:

- Charlottesville High School (4 CSA's total)
 1. 1 Lead
 2. 3 CSA's

- Buford Middle School (3 CSA's total)
 1. 1 Lead
 2. 2 CSA's

- Walker Upper Elementary School (0 CSA's total)

As the safety model for the Charlottesville City Schools has continued to evolve, a need for additional CSAs has been identified, specifically 1 additional CSA at Charlottesville High School to provide full campus coverage, and 2 CSAs at Walker Upper Elementary School to provide services to their students.

This grant opportunity will provide funding for 3 additional CSAs to be distributed between Charlottesville High School and Walker Upper Elementary School.

The CSA will provide the following services:

- Access and Control to the School Buildings
 1. Check the identity of visitors on school premises
 2. Escort visitors to the school office or other locations on the school premises

- Patrolling of School Grounds and Buildings
 1. Check hallways, restrooms, cafeteria, and remote areas for potential safety and security problems
 2. Check doors, windows, gates, and/or rook access points
 3. Investigate suspicious behavior and/or activities
 4. Detect safety hazards (e.g. broken tree limbs, security door propped open, etc.)
 5. Physically place yourself at a hot spot for violations

- Incident Response Drills and Training
 1. Active shooter drills
 2. Secure-the-building
 3. Shelter-in-place

- Intervention- Proactive and Reactive
 1. Early referral of individuals exhibiting mental health issues
 2. Separate individuals or groups where there is hostility between them
 3. Encourage students to use positive verbal and behavioral alternatives
 4. Encourage academic achievement and positive involvement in the school community
 5. Model effective communication skills daily
 6. Discuss the logical consequences of disobeying school rules and regulations
 7. Respond to requests for routine and/or emergency medical assistance
 8. Sound alarms or call the police or fire department
 9. Report incidents to the school administrator
 10. Report incidents to the school administrator
 11. Refer students having problems to administrative staff

- Traffic Control and Parking Enforcement
 1. Direct traffic (e.g. during special events or where the layout of the school creates greater potential for safety incidents)
 2. Patrol parking lots, checking for proper permits and issuing citations for improper parking
 3. Assist with impounding vehicles

- Support Disaster and Emergency Response
 1. Escort and guide individuals to pre-determined shelter locations
 2. Escort and guide individuals to fire evacuation assembly areas
 3. Assist in controlling the assembly area and name-checking to account for people
 4. Assist in marshaling pick-up areas

- Monitoring Security Cameras/ Technology
 1. Monitor security cameras and other technology
 2. Inspect equipment to make sure it is working properly
 3. Report equipment issues to school administrators (e.g. broken equipment, equipment not in the appropriate place)

- Ad Hoc Assistance to the Community
 1. Support the safe and secure coordination of special events
 2. Provide escorts to people who feel unsafe
 3. Other assigned duties

Alignment with City Council's Vision and Strategic Plan

This grant advances the City of Charlottesville’s Community Vision Statement within the Consolidated Plan which states, “The City will prioritize equitable and effective emergency response and public safety, with clear strategies aimed at building trust and confidence in all neighborhoods”. This grant provides additional staff at Charlottesville City Schools to increase the safety of students and provide additional resources to the students of Charlottesville City Schools.

Community Engagement

There was no direct community engagement for this grant. However, extensive research has been conducted to show the need for School Resource Officers in schools.

Budgetary Impact

This grant is state funded at \$45,720 with a local match requirement of \$104,280 which will be met by Charlottesville City Schools. There is no budget impact for the City of Charlottesville. All funds will be distributed to Charlottesville City Schools for service provision.

Recommendation

Staff recommends approval and appropriation of grant funds. Staff recommends the approval of appropriate signatures for the Statement of Grant Award and any applicable grant agreements by the City Manager.

Suggested Motion: "I move to recommend the APPROVAL of the appropriation of \$45,720 from the Department of Criminal Justice Services" and the signature by the City Manager or their delegate on the Statement of Grant Award and applicable grant agreements to accept the funding allocation".

Alternatives

Council may elect to not accept the funds and Charlottesville City Schools will not have the capacity to administer the following services to the students at Charlottesville City Schools access and control to the school building, patrolling of school grounds and buildings, incident response drills and training, intervention- proactive and reactive, traffic control and parking enforcement, support disaster and emergency response, monitoring security cameras/ technology, and ad-hoc assistance to the community.

Attachments

1. FREE GRANT SSO SRO Incentive Grant Program Resolution

RESOLUTION

Appropriating Funding in the Amount of \$150,000 To Be Received from the 2024-FREE-Grant, FY24 School Security Officer (SSO): School Resource Officer (SRO) Incentive Grant Program 539,369

WHEREAS, The City of Charlottesville, through the Office of Community Solutions, has been notified that it will be awarded a School Security Officers grant from the Fund of the Virginia Department of Criminal Justice Services, in the amount of \$150,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, upon receipt of the SSO funding from the Commonwealth, said funding, anticipated in the sum of \$150,000 is hereby appropriated in the following manner:

Revenues			
\$150,000	Fund 209	Order 1900531	GL 430110 State Grant

Expenditures			
\$150,000	Fund 209	Order 1900531	GL 530550 Contractual Services

BE IT FURTHER RESOLVED that this appropriation is conditioned upon receipt of \$45,720 in funds from the Virginia Department of Criminal Justice Services and \$104,280 from Charlottesville City Schools.

Approved as to Form:



City Attorney

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 5, 2023
Action Required:	Approval of funds transfer
Presenter:	Kyle Rodland, Safe Routes to School Coordinator
Staff Contacts:	Kyle Rodland, Safe Routes to School Coordinator Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Safe Routes to School Non- infrastructure Grant - \$33,150 (2nd reading)

Background

This is the 7th year that the Virginia Department of Transportation (VDOT) has awarded the City of Charlottesville with a Safe Routes to School (SRTS) Non-Infrastructure (Activities and Programs) Grant. The award, as appropriated, covered supplies and the salary for one staff member. However, it is not enough to cover benefits. The additional appropriation of \$33,150 cash match will cover the cost of benefits for this staff member over the 2 years of this award.

Discussion

As part of the grant application, the City was required to update the Safe Routes to School (SRTS) Activities and Programs Plan (APP), a written document that outlines a community's intentions for enabling and encouraging students to engage in active transportation (i.e. walking or bicycling) as they travel to and from school. The plan details the number of students living within ¼ to 2 miles of their school and demonstrates the potential benefits that can be accrued from a coordinated SRTS program (in Charlottesville nearly 30% of students live within ½ mile of school and nearly 70% live within 1 mile of school). The SRTS APP was originally created through a team-based approach that involved key community stakeholders and members of the public in both identifying key behavior-related to barriers to active transportation and, using the four non- infrastructure related E's (education, encouragement, enforcement and evaluation) to address them.

The APP update reflects minimal changes from last year's plan, but emphasizes lessons learned since our Coordinator was hired in October 2016. The following short-term recommendations were developed to enhance the program:

- Institute bike riding, repair, and safety curriculum
- Develop a division-wide SRTS website
- Facilitate biking and walking incentive program
- Regularly host walk- and bike-to-school days
- Consistently host annual Bicycle Rodeos
- Conduct bike safety check

- Student Transportation Committee
- Expand the bike helmet give-away program
- Administer student travel tallies
- Keep records of participation in workshops, biking and walking trains, bike rodeos, afterschool clubs, and other events

The SRTS Activities and Programs Plan will continue to serve as a guiding document to assist in promoting, encouraging, and enabling walking and bicycling to school. The grant will allow the City to continue to fund a Safe Routes to School Coordinator and the supplies needed to implement the recommendations included in the APP.

The grant requires a 20% match (\$45,961). We anticipate receiving in-kind donations from the Charlottesville Area Mountain Bike Club for bicycle fleet maintenance, but \$33,150 is also needed to cover the costs of benefits over the 2 years of the award.

As a reimbursable grant, costs will be incurred in the State Grant Fund and reimbursed by VDOT.

Alignment with City Council's Vision and Strategic Plan

This initiative supports Council's Vision to be a "Connected Community" ("the City of Charlottesville is part of a comprehensive, regional transportation system that enables citizens of all ages and incomes to easily navigate our community") and "America's Healthiest City" ("we have a community-wide commitment to personal fitness and wellness, and all residents enjoy our outstanding recreational facilities, walking trails, and safe routes to schools").

In addition, the project contributes to Goals 1 and 3 of the Strategic Plan, to be an inclusive, self-sufficient community and a healthy and safe city.

The initiative further implements recommendations within the Comprehensive Plan (2013), Bicycle and Pedestrian Master Plan (2015) and supports the City's Healthy Eating Active Living (HEAL) Resolution.

Community Engagement

This grant application implements one of the programming recommendations included in the Bicycle and Pedestrian Master Plan (adopted 2015), which included significant public involvement. Further, city staff from Neighborhood Development Services worked with staff from the Thomas Jefferson Health District and Charlottesville City Schools (Physical Education and Pupil Transportation) to create a Safe Routes to School Task Force in 2016 that was responsible for outlining elements of a city-wide Safe Routes to School Activities and Programs Plan (APP). The task force included representatives from city schools, community organizations, multiple city departments (NDS, Public Works, Parks and Recreation), as well as health and enforcement disciplines. The APP was developed by the task force with input from parents (via Parent Survey) and further discussed/refined at public meeting in February 2016. The Bicycle and Pedestrian Advisory Committee provided feedback on the APP annually. A parent survey will be conducted in the 2022-2023 school year to better understand some of the barriers and challenges of walking and biking school.

Budgetary Impact

Neighborhood Development will provide the funds for the \$33,150 match over the award's 2 year period of performance.

Recommendation

Staff recommends approval and appropriation of the cash match.

Alternatives

If match is not appropriated, the Safe Routes to School programming will have to end sooner than 2 years.

Attachments

1. Resolution Appropriating Funds for Safe Routes to School Program.8.16.23

**RESOLUTION APPROPRIATING FUNDS for
Safe Routes to School Program (SRTS) Non-Infrastructure Grants
\$ 33,150**

WHEREAS, the Safe Routes to School Program (SRTS) non-infrastructure grant, providing Federal payments for **education, encouragement, evaluation and enforcement** programs to promote safe walking and bicycling to school has been awarded the City of Charlottesville, in the amount of \$183,842 has already been appropriated;

WHEREAS, the two year SRTS award is a 80% reimbursement program requiring a 20% match of \$45,961. It will come from in kind donations and volunteer services from Charlottesville Area Mountain Bike Club and \$33,150 cash match from the City of Charlottesville in form of employee benefits.

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

REVENUE

\$33,150 Fund: 209 Cost Center: 3901008000 G/L: 498010


EXPENDITURES

\$33,150 Fund: 209 Cost Center: 3901008000 G/L: 519999

TRANSFER FROM

\$33,150 Fund: 105 Cost Center: 390100100 G/L: 561209

Approved as to form:



City Attorney

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



Agenda Date:	September 5, 2023
Action Required:	Approval of the PY 2023-2024 HOME-ARP Action Plan & Approval of the Associated Appropriation of Funds, in the Amount of Approximately \$347,404
Presenter:	Anthony Warn, Grants Analyst, Alexander Ikefuna, Director of Community Solutions
Staff Contacts:	Anthony Warn, Grants Analyst Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolutions to approve HOME-ARP FY 2023-2024 Action Plan and to appropriate funds of approximately \$347,404 (2nd reading)

Background

The City of Charlottesville is designated by the U.S. Department of Housing & Urban Development (HUD) as an ‘Entitlement Community’ and as such participates in the HOME Investment Partnerships program. Charlottesville is a participating member of the Thomas Jefferson Area HOME Consortium, in partnership with five neighboring counties: Albemarle, Fluvanna, Greene, Louisa & Nelson. This Consortium is managed through a Cooperation Agreement with the Thomas Jefferson Planning District Commission (TJPDC) whose staff coordinate HOME activities across the six Consortium localities.

Charlottesville has recently been notified by HUD of the availability of approximately \$2,452,270 through HUD’s implementation of the America Rescue Plan, commonly referred to as HOME-ARP. As per the Consortium’s Cooperation Agreement, all six Consortium members receive an equal share of the available funds, less administration & planning funds to TJPDC. Council reviewed and approved the Consortium’s HOME-ARP Allocation plan at a public hearing on January 3, 2023. HUD gave formal approval to the Allocation Plan on February 23, 2023, with funds distributed to the Consortium members as follows:

Participating Jurisdictions	HOME-ARP Allocation
City of Charlottesville	\$347,404.92
Albemarle County	\$347,404.92
Fluvanna County	\$347,404.92
Green County	\$347,404.92
Louisa County	\$347,404.92
Nelson County	\$347,404.92
Program Planning/Administration (TJPDC @ 15%)	\$367,840.50
Total HUD Allocated HOME Fund	\$2,452,270.02

Based on multiple community needs assessments, most recently conducted as part of the Consortium's 5-Year Consolidated Plan, the Consortium decided to devote 100% of their HOME-ARP program funds to support programs that will acquire, rehabilitate, or construct rental housing within the Charlottesville City limits that are affordable to individuals and households with incomes at or below 60% of Charlottesville's Area Median Income (AMI), or \$55,500 for a household of four persons in 2023.

Consistent with past practices for HUD-funded programs, staff planned and implemented a competitive application process. All prospective applicants were required to attend a pre-application workshop, during which HUD and City goals and requirements were discussed in detail. The city's CDBG/HOME Taskforce was convened in July of 2023 to review all received requests for funding in line with established review criteria. Based on a careful review and consideration of each application, and with the goal of maximizing the impact of the limited funds available, the Taskforce put forth the funding recommendations detailed below.

Discussion

In 2022, HUD published its Final Implementation Notice for its HOME-ARP program. This Notice established a number of requirements that differentiate HOME-ARP from previous HOME rounds of funding, notably:

1. HUD established a set of Qualifying Populations intended to be the primary beneficiaries of funded programs: persons experiencing or at risk of experiencing homelessness; persons fleeing or attempting to flee domestic and/or dating violence, sexual assault, stalking, and/or human trafficking; and/or veterans and families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above
2. Lengthy affordability periods: 15 years for acquisition and/or rehabilitation activities; or 20 years for new construction activities
3. Eliminating minimum investments of HUD funds to trigger the required affordability period, meaning that any investment of HOME-ARP funds will trigger the affordability period for covered units

With these goals in mind, staff designated three primary activities to be considered for funding:

1. Acquisition of existing units to be maintained as affordable
2. Rehabilitation of existing units to be maintained as affordable
3. Construction of new units to be maintained

After a public Request for Funding Proposals period, the city received four (4) HOME-ARP applications were received with a combined funding request of up to \$1,109,575.76. (Note: The majority of the initial registrants for the pre-application workshop were not developers but were instead individuals seeking direct rental assistance and/or other rental supports.)

Taskforce members carefully evaluated each application in light of the anticipated benefits to households at or below 60% of the local AMI. Consistent with the goal of maximizing the impact of the limited funds available during this round, the Taskforce also gave additional consideration in their

discussions to applications that were able to demonstrate an ability to leverage their funding award with funds from other sources.

Based on their analysis, the Taskforce proposes the following funding award(s):

Applicant	Program	Recommended Award
Community Services Housing, Inc.	Continued Rehabilitation Repairs to Preserve CSH Affordable Rental Housing	\$67,361.00
Piedmont Housing Alliance	1025 Park Street Redevelopment	\$280,043.92

Alignment with City Council's Vision and Strategic Plan

By working to preserve and expand affordable rental housing opportunities, this agenda item aligns directly with Council’s vision for Charlottesville as a community that supports a local housing market that is healthy, high quality, affordable, and above all, equitable and that fosters community well-being and a high quality of life for all of its residents.

Community Engagement

The city’s PY 2023-2024 HOME-ARP Action Plan has been developed based on the results of a comprehensive needs assessment conducted as part of the Thomas Jefferson Area HOME Consortium’s 5-Year Consolidated Plan, as approved by Council on May 1, 2023, and has been informed by a public comment period and the diligent work of the city’s CDBG/HOME Taskforce.

Additionally, the City of Charlottesville Planning Commission reviewed the Action Plan presented here at a joint public hearing with City Council on Tuesday, August 8th, 2023, and gave their approval by a recorded vote to forward these funding recommendations to City Council for further consideration without conditions.

Budgetary Impact

Approval of the HOME-ARP Action Plan will generate a net benefit to the city of approximately \$347,000 for affordable housing activities, funding that would otherwise not be available for investment. In addition, HUD has waived local match requirements for the HOME-ARP program, so no additional impacts to the City budget are anticipated.

Recommendation

Staff recommends that Council approves the PY 2023-2024 HOME-ARP Action Plan as presented before Council and further approves the associated appropriation of funds.

Suggested motion #1:

“I move to APPROVE the FY 2023-2024 HOME-ARP Action Plan as presented here before City Council.”

Suggested motion #2:

“I move to APPROVE the appropriation of the HOME-ARP funding recommendations outlined in the FY 2023-2024 HOME-ARP Action Plan, in the amount of \$347,404.92.”

Alternatives

Given that the proposed funds to be awarded are from federal sources and that disapproval of the HOME-ARP Action Plan will deny the city the opportunity to invest local HOME-ARP funds to support affordable rental opportunities, no alternatives were considered or are presented.

Attachments

1. HOME-ARP FY23 Pre-Application Workshop 2023-06-22 Slides
2. Council FY23 HOME-ARP Funding Recs to Council 2023-08-21 (2)
3. Resolution Approving FY 2023-2024 HOME-America Rescue Plan Action Plan in the Amount of Approximately \$347,404
4. Council FY23 HOME-ARP Resolution of Appropriation 2023-08-21 (2)



HOME-ARP Rental Development Pre-Application Workshop

Office of Community Solutions

City of Charlottesville

June 22, 2023



Agenda

1. Review the goals & requirements of HUD's HOME-ARP program, including the Thomas Jefferson Area HOME Consortium's [HOME-ARP Allocation Plan](#)
2. Understand the specific Qualifying Populations
3. Review the application process
4. Answer any additional questions
5. Review the next steps in the process for interested applicants

Eligible Activities



- Charlottesville HOME-ARP funds are intended to support the **production and/or preservation** within the Charlottesville City limit of affordable rental units through either:
 - **Acquisition**
 - **Rehabilitation**, and/or
 - **Construction**
- Successful applications must show clear evidence of how they will produce rental units affordable to individuals and households with incomes at or below 60% of Charlottesville's [Area Median Income \(AMI\)](#), or \$55,500 for a household of four persons in 2023
- Successful applications must also show clear evidence of how they will serve the **Qualifying Populations** of HUD's HOME-ARP Implementation Notice

Qualifying Populations



- Through a formal [Final Implementation Notice](#) issued on 31 October 2022, HUD has directed that HOME-ARP funds be used to support projects that serve specific **Qualifying Populations**, including:
 - Persons experiencing homelessness, as defined in [24 CFR 91.5 Homeless](#) (1), (2), or (3)
 - Persons at risk of homelessness
 - Persons fleeing or attempting to flee domestic and/or dating violence, sexual assault, stalking, and/or human trafficking
 - Veterans and Families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above

Project Rule



- At all times during the affordability period (generally 20 years), 20% of HOME-assisted units must have tenants with gross incomes at or below 50% of AMI



Affordability Periods

- HUD is also seeking to make sure that HOME-ARP outcomes are durable and long lasting
- Consequently, rental units funded via HOME-ARP are subject to affordability periods based on type of activity and amount of funding used:

Activity Type	HOME-ARP Funds Used	Affordability Period
Rental Housing Acquisition and/or Rehab	Any dollar amount of HOME-ARP funding	15 years
New Construction	Any dollar amount of HOME-ARP funding	20 years

- Part of the assessment of an applicant's financial capacity to deliver their proposed project will include their plans for tracking and reporting program income over the length of the affordability period



Additional Considerations

- Successful applications will be designed to create meaningful and lasting impact for beneficiaries, will be cost-effective and shovel-ready (*i.e., scheduled to be completed within 24 months of the commitment of funds through an executed funding agreement*)
- Additional consideration in the evaluation process will be given to projects that:
 - Can demonstrate clear evidence of how they will use awarded HOME-ARP funds to leverage additional funding from other sources, whether public and/or private, to maximize the impact of their proposed project



Eligible Applicants

- Who is eligible to apply for HOME-ARP funding?
- Applications for funding consideration may be submitted by:
 - Non-profit agencies, such as 501(c)3 organizations or units of local government
 - Quasi-government agencies such as a housing authority
 - For-profit developers and/or private property owners
- Successful applicants must demonstrate that they have the organizational and financial capacity to complete their proposed project in an efficient and timely manner
- Subrecipient agencies must maintain compliance with the Uniform Administrative Requirements for Federal Awards at [ecfr.gov](https://www.ecfr.gov) ([2](https://www.ecfr.gov) [CFR Part 200](https://www.ecfr.gov))



The Application Timeline

- Pre-application workshop
- Plan the application
- Submit the application
- OCS conducts an assessment of developer capacity, fiscal soundness and ability to successfully implement their proposed program
- Review by the city's CDBG/HOME Taskforce
- Ongoing technical assistance as needed
- Deadline for submitting applications:

on or before 5pm on Monday, July 17, 2023



Additional Resources

- HUD AMI Calculations: https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?STATES=51.0&INPUTNAME=METRO16820M16820*5154099999%2BCharlottesville+city&statelist=&stname=Virginia&wherefrom=%24wherefrom%24&statefp=51&year=2023&neflag=&selectiontype=county&incpath=%24incpath%24&data=2023&SubmitButton=View+County+Calculations
- HUD Final Implementation Notice 2022: <https://www.hud.gov/sites/dfiles/OCHCO/documents/2022-13cpdn.pdf>
- Interested applicants may submit a request for the formal application by completing an online form here: <https://forms.office.com/g/6ADt9YJRhD>
- You may also request the application by sending an email to warna@charlottesville.gov

**CDBG/HOME Taskforce Funding Recommendations for
FY 2023-2024 HOME-ARP Rental Opportunities Program**

<u>Taskforce Funding Recommendations</u>	<u>Funding Recommendations</u>	<u>% of Funds Requested</u>
Community Services Housing	\$ 67,361.00	100.00%
CRHA	\$ -	
Growth Mindsets	\$ -	
Piedmont Housing Alliance	\$ 280,043.92	80.61%
 <u>Funding Award Calculations</u>		
HOME-ARP FY23-24 Funds Available	\$ 347,404.92	
Subtotal Funding Awards	\$ 347,404.92	
Available Balance to Invest	\$ -	

print date: 8/1/23

**Resolution Approving the City of Charlottesville FY 2023-2024
HOME-America Rescue Plan (HOME-ARP) Action Plan,
in the Amount of Approximately \$347,404**

WHEREAS the City of Charlottesville has been designated as an Entitlement Community by the United States Department of Housing and Urban Development (HUD), and as such is a recipient of federal funds through the HOME Investment Partnerships program, and

WHEREAS the City is a contributing member of the Thomas Jefferson Area HOME Consortium, in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD's HOME program, and

WHEREAS the City has recently been informed of a one-time allocation from HUD of approximately \$2,452,270 in HOME-ARP funds to be shared equally among the HOME Consortium members and through which the City anticipates receiving an allocation of approximately \$347,404 in HOME-ARP funds to support the development of affordable rental units within the city limits, and

WHEREAS Council has previously expressed its support of the Consortium's HOME-ARP Allocation Plan, as presented by TJPDC staff to Council at a public hearing on January 3, 2023, and


WHEREAS the members of the City's CDBG/HOME Taskforce have carefully evaluated funding requests made through an open and competitive application process and have made the funding recommendations put forth in the FY 2023-2024 HOME-ARP Action Plan reviewed and approved by the Planning Commission at their August 8, 2023, public hearing and presented before Council, now

THEREFORE, BE IT RESOLVED that the City Council of Charlottesville, Virginia, hereby approves the FY 2023-2024 HOME-ARP Action Plan, as presented at a public hearing on August 21, 2023.

Approved by Council
August 21, 2023

Kyna Thomas, CMC
Clerk of Council

Approved as to form:



City Attorney

**Appropriation of HOME-America Rescue Plan (HOME-ARP) Funds
Anticipated from the U.S. Department of Housing and Urban Development,
in the Amount of Approximately \$347,404**

WHEREAS the City has recently been informed of a one-time allocation from HUD of approximately \$2,452,270 in HOME-ARP funds to be shared equally among the HOME Consortium members and through which the City anticipates receiving an allocation of approximately \$347,404.92 in HOME-ARP funds to support the development of affordable rental units within the city limits, and

WHEREAS City Council has received recommendations for the expenditure of funds from the city’s CDBG/HOME Task Force, as reviewed and approved by the City Planning Commission, which conducted a public hearing thereon as provided by law, now

BE IT RESOLVED by the City Council of Charlottesville, Virginia, that upon receipt of anticipated HOME-ARP funding from the U.S. Department of Housing and Urban Development (HUD), said funds are hereby appropriated to the following individual expenditure accounts in the city’s HOME Fund in accordance with the respective purposes set forth; provided, however, that the City Manager is hereby authorized to transfer funds between and among such individual accounts as circumstances may require, to the extent permitted by applicable federal grant regulations, as set forth below:

HOME-ARP America Rescue Plan

Fund	Account Code	Taskforce Funding Recommendation	Proposed Award
210	1900533	Continued Rehabilitation Repairs to Preserve CSH Affordable Rental Housing (<i>Community Services Housing, Inc.</i>)	\$67,361.00
210	1900534	1025 Park Street Redevelopment (<i>Piedmont Housing Alliance</i>)	\$280,043.92
Subtotal HOME-ARP Funding Recommendations			\$347,404.92

HOME Local Match Funds

The customary local matching funds requirement for HOME programs has been waived by HUD for HOME-ARP.

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt by the City of not less than \$347,404.92 in HOME-ARP funds from the Department of Housing and Urban Development for FY 2023-2024, and all subrecipient awards are also conditioned upon receipt of such funds, and

BE IT FURTHER RESOLVED that in the event that HOME-ARP funding received from the U.S. Department of Housing and Urban Development for FY 2023-2024 differs from the amounts referenced above, all appropriated amounts may be administratively increased/reduced at the

same prorated percentage of change to actual funding received. No subrecipient's grant may be increased above their initial funding request without further consideration by Council.

BE IT FURTHER RESOLVED that the amounts appropriated above within this resolution will be provided as grants to public agencies or private non-profit, charitable organizations (individually and collectively, "subrecipients") and shall be utilized by the subrecipients solely for the purpose stated within their grant applications. The City Manager is hereby authorized to enter into agreements with each subrecipient as deemed advisable, to ensure that the grants are expended for their intended purposes and in accordance with applicable federal and state laws and regulations. To this end, the City Manager, the Director of Finance, and public officers to whom any responsibility is delegated by the City Manager pursuant to City Code Section 2-147 are authorized to establish administrative procedures and provide for guidance and assistance in subrecipients' execution of the funded programs.

Approved by Council
August 21, 2023

Kyna Thomas, CMC
Clerk of Council



City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials*

- RESPONSES TO COMMUNITY MATTERS
 - Battery Electric Buses is deemed a viable option for the conversion and expansion of the CAT fleet; this is clearly defined as an option in the Alternative Fuels Study presented by Kimley-Horn. While there appears to be a concern that a decision has been made and that the presentation was somehow anti-BEB technology, the requirement by the FTA is that we must consider options we have an interest in pursuing and provide our governing body a full array of options for their consideration. The Kimley-Horn presentation gave a full picture of options and it was presented without recommendations. That was to provide council the opportunity to hear, learn, and consider the data and analysis first. In October, staff will return with a recommendation and provide the council the opportunity to decide how we proceed. The city is best served by considering all the advantages and disadvantages to each technology option for managing and maintaining a bus fleet that meets the four tenets of operational priority: reliability, ridership, frequency, and quality of service.
 - Ranked Choice Voting was presented to council during their 8/21 work session and the decision to proceed will be left to them to decide as advised by the General Registrar who outlined the process and necessary timeline to consider.
 - Invasive species on city-owned land is a matter that remains on the radar of the Parks & Recreation staff. We recently completed an invasives management project using goats and we deem that effort very successful. We will continue to use a range of tactics, including the use of annual funding appropriated by council.
 - Support for solar modifications to homes is a deliverable within the Council-adopted Climate Action Plan. The climate team will continue working to develop ideas that support residential and commercial improvements that reduce GHG emissions.
 - Dairy Central opposition remains clear based on resident comments. I again met with Chris Henry to discuss his reactions to our prior conversation, and he has expressed a willingness to consider deeper engagement with neighboring residents; I will remain engaged as long as the conversation is productive and meaningful.
- ADMINISTRATIVE MATTERS
 - The City of Charlottesville jointly hosted a Civil Affairs Team that spent a week assessing community and government preparedness for critical operations during unplanned events; this is an important planning activity for the military when they are deployed to areas of service of our military. The 6-person team met with city, county, and UVA leadership over a three-day stint in town.
 - Concluded preparation work for Council's new 5-year Strategic Plan; Michelle Ferguson with Raftelis will present the final draft during the September 5th Work Session, and Council will consider its adoption later that evening.
 - On Friday, August 18th, I supported Albemarle County's search for a new Deputy County Executive. Serving as a panelist for the search demonstrated the collaborative spirit we prioritize as we strive to maintain cooperation and collaboration across our jurisdictions.
- GOOD NEWS
 - The City of Charlottesville welcomes its new Director of Communications to the team on Tuesday, September 5th. This concludes an almost two-year window

without a permanent director for this critical office.

- Congratulations to the Soul of Cville event organizers at IX Park August 11-13.
- Congratulations to Superintendent Gurley, teachers, staff, parents, and students for a successful start to a new school year. We are grateful that Pupil Transportation rolled 14 regular bus routes plus 3 van routes with no loss – but an addition of seats for the new school year. We continue to work to fill the remaining six driver spots.
- **BOARDS, COMMISSIONS, COMMITTEES, ETC**
 - I began service on the Charlottesville Airport Authority Board of Directors and voted to appoint Jason Burch the new CEO of CHO. We also thanked Melinda Crawford for her dedication to CHO over the years.
 - I began service on the Rivanna Water & Sewer Authority Board of Directors and assumed the role of Vice Chair (a function designated for the city manager)
- **UPDATE ON CITY MANAGER'S TRANSITION**
 - As I settle into the City Manager role, I will continue to prioritize communication as a central activity that will support the desire to rebuild trust and confidence in this local government organization.
 - I have established more regular direct communication with the leaders of this organization as we work to become a unit that collaborates regularly and always leads.
 - I have determined that I can produce a monthly update to all employees, no matter how short. The volume of things we have going on in this organization will never leave me short of being able to talk about something with the whole team.
 - And as I conclude my first 30 days in the role, I am presenting a Work Plan to the Council for the remainder of this fiscal year. I value the responsibility every leader has for letting their team know how they are doing. I welcome the opportunity for councilors to review my progress constructively associated with the work plan that we agree provides me an opportunity to stretch and be stretched.

UPDATES FROM DEPUTY CITY MANAGER ASHLEY MARSHALL

- ADA TRANSITION PLAN UPDATE
 - A news release on August 30, 2023, provided an update to the community on the progress of the city's work to update our ADA Transition Plan which was last updated in 2013. A crucial part of the ADA Transition Plan process is public input since community collaboration enhances the ADA Transition Plan by ensuring the focus isn't just on accessibility barriers, but also on the lived experience of those with disabilities in the community. Members of the community are encouraged to take part by completing two surveys that were launched: the ADA TP Community Engagement survey will take approximately 10 minutes to complete, and the ADA TP Abbreviated Survey can be completed in two minutes. Please use the links below to take the survey today!
 - ADA TP Community Engagement Survey:
<https://www.survehero.com/c/cvilleADATPSurvey>
 - ADA TP Abbreviated Survey:
<https://www.survehero.com/c/CvilleADATPShort>
- CELEBRATING PUBLIC ACCESS TELEVISION
 - Charlottesville Public Access Television, now known as CPA-TV, celebrates 30 years of service to our community and will hold its annual Open House on Saturday, September 23rd, from Noon-2 p.m. at the York Place station on the Downtown Mall. The celebration's two-hour live broadcast will feature numerous local personalities and highlights from programming hosted by Andrea Copeland, longtime CPA-TV member and Chief Operating Officer of the Charlottesville Regional Chamber of Commerce.
- CONGRATULATIONS
 - The Office of Equity and Inclusion would like to congratulate Whitmore Merrick and Courtney Brown of the Home to Hope team for their acceptance into the Charlottesville Leaders Lab!

UPDATES FROM INTERIM DEPUTY CITY MANAGER STEVEN HICKS

- PLANNING COMMISSION PUBLIC HEARING SEPTEMBER 14th
 - The Planning Commission will conduct a public hearing for the Charlottesville Development Code on September 14th at 4 PM in Council Chambers. People will also be able to participate online. Information can be found at the Cville Plans Together website:
<https://cvilleplanstogether.com/>
- ONLINE PAYMENTS FOR NEIGHBORHOOD DEVELOPMENT SERVICES
 - NDS is excited to announce that online payments for building permit applications are now available through its new permitting software. You can access this by going to:
<https://permits.charlottesville.gov/portal/>
- MILLING AND PAVING NOTICE
 - Public Works will conduct milling and paving operations on Preston Avenue between Rugby Rd.

and 10th St. NW beginning August 31, 2023. Traffic will be diverted, with appropriate advance warning, and flagging operations. Motorists are encouraged to use alternate traffic routes throughout the duration of this project. For pedestrians, the crosswalks for Preston Avenue at the intersections of Rugby Road, Cabell Avenue, Madison Avenue, 10th Street SW, and Grady Avenue may be affected throughout the duration of this project. Please see the press release at: <https://www.charlottesville.gov/CivicAlerts.aspx?AID=1515>. Below is a snapshot for project timelines:

- Milling Operations - 8/31-9/5 (No active work on Labor Day)
- Paving Operations - 9/5-9/8
- Marking Operations - 9/11-9/16

CITY MANAGER'S OFFICE UPDATES

- Office of the City Manager – Executive Assistant Terry Bentley (she/her)
The Office of the City Manager would like to remind the public that they continue to provide support as the main information line for the community. To reach them, please call 434-970-3333, but also, the public should be aware that the phone tree system is active to ensure quick transfer to the proper departments.
- Office of Budget and Management – Director Krisy Hammill (she/her)
FY 2025 Budget Development has already begun! In August, departments were given an opportunity to submit new requests for operations and the CIP. The City Manager and the Budget Team will be vetting those requests with departments over the next few months in order to decide which ones will move forward as part of the City Manager's Proposed Budget. September will be spent working on the CIP.
- Office of Communications & Public Engagement – Deputy Director David Dillehunt (he/him)
CPA-TV ANNIVERSARY: Charlottesville Public Access Television, now known as CPA-TV, celebrates 30 years of service to our community this fall. The Charlottesville Community Media Center, home of CPA-TV, will hold its annual Open House on Saturday, September 23rd, from Noon-2 p.m. at the station's state-of-the-art facility inside York Place on the Downtown Mall. This two-hour live broadcast will feature numerous local personalities and highlights from programming, a live tour of the studio, and will be hosted by Andrea Copeland, longtime CPA-TV member and Chief Operating Officer of the Charlottesville Regional Chamber of Commerce.
HOLIDAY EXCITEMENT WITH GRAND ILLUMINATION: Grand Illumination is scheduled for Friday, December 1st, and will once again take place at Ting Pavilion, co-sponsored by the City of Charlottesville and UVA Community Credit Union, with a holiday concert sponsored by Ting and our new Tree Illumination sponsor Dominion Power.
- Office of Community Solutions –Director Alex Ikefuna (he/him)
GRANTS INVENTORY: The Office of Community Solutions has recently completed a citywide Grants Inventory Survey and developed a corresponding Grants Inventory Report, which will be presented to the City Manager for review. The Grants Inventory Report provides an overview of the grants the City of Charlottesville City Manager's Office and its departments receive and administer.
GRANTS WORKSHOP SERIES: The Office also has planned and developed a Grants Workshop series which will be made available to the City of Charlottesville's nonprofit agencies and its partners. The two-part series will take place on September 12 and October 10. The announcement for the workshop was released to the community partners last week with the opening of registration. The workshop series will cover Grants 101 & Pre-Award Activities, and Post-Award Activities. It is designed to improve the grant writing skills of city grant applicants and others seeking to submit grant applications to outside organizations. This will be an annual activity.

HOPS & CAHF: Revamp the HOPS FY24-25 and the CAHF FY24-25 applications and scoring tool to make them more user-friendly.

COMMUNITY & STATEWIDE ENGAGEMENT: OCS Staff has been appointed to the BRACH Board of Directors. OCS staff also served on the Virginia First Cities Statewide Housing Committee. The Committee recommends potential areas for state legislative consideration.

HOME ARP: Completed the U.S. Department of Housing and Urban Development (HUD) HOME ARP Request for Proposal (RFP) solicitation process. HOME-ARP funding recommendation is scheduled to receive final consent approval by the City Council on September 5, and if approved, agreements will be delivered to awardees for signature so implementation can begin.

SOFTWARE ACQUISITION RESEARCH: OCS initiated exploration of the acquisition of a license for Neighborly Software to enable effective coordination, tracking, and reporting of grant-funded programs (i.e., CDBG, HOME, Citywide Grants & Housing fund).

SIA IMPLEMENTATION WORK: Working out details necessary to prepare and issue a bid package for the Pollocks Branch pedestrian bridge construction. This is a follow-up on implementing the Strategic Investment Area (SIA).

CALL FOR COMMUNITY SUPPORT: We still have openings on the CDBG/HOME Taskforce for representatives of the following constituent groups: Belmont Neighborhood, 10th & Paige Neighborhood, Ridge Street Neighborhood & Public Service Programs

- Office of Economic Development – Director Chris Engel (he/him)

VIRGINIA DIODES, INC. EXPANDING IN CHARLOTTESVILLE: This summer, Virginia Governor Glen Youngkin announced that Virginia Diodes, Inc. (VDI), which supports the semiconductor industry supply chain as a manufacturer of state-of-the-art test and measurement equipment for millimeter-wave and terahertz (THz) applications like 6G, automotive radar, and weather sensing as well as science applications including radio astronomy and fusion research, is investing \$2.5 million to expand capacity at its operation in the City of Charlottesville. VDI has customers in over 40 countries and employs more than 120 engineers, technicians, and administrative staff at its two, high-tech facilities in Charlottesville, which combined have approximately 30,000 sq ft of manufacturing space. The expansion is expected to create 24 new jobs. The Office of Economic Development (OED) has been assisting VDI over many years as part of its business visitation program and recently collaborated with the Virginia Economic Development Partnership to access the Virginia Jobs Investment Program (VJIP), which provides consultative services and funding to companies creating new jobs in order to support employee recruitment and training activities, on VDI's behalf.

MARKET STREET PARKING GARAGE REPAIR COMPLETED: The Market Street Parking Garage repair work is now substantially complete, including reopening the roof level for parking. The renovation has improved the overall appearance of the garage and includes ceiling replacements, concrete repairs, and a new protective coating on the top deck. As a reminder, the first hour of parking is free, and parking will be complimentary on the Labor Day holiday, Monday, September 4th. Please visit our website for additional information, including real-time space availability, at the Market Street or Water Street Parking Garages at <https://www.charlottesville.gov/239/Parking-Information>

READY TO WORK PROGRAM: Recent surveys have confirmed that new employees will need skills like problem-solving, decision-making, and teamwork to be successful. OED’s new Ready To Work program addresses these needs directly with specific soft skills training that culminates with a certification. The program is free, available 24/7, and provides graduates with a guaranteed interview with a participating Ready To Work City employer. Interested job seekers or employers should contact Jenny Biche in the OED for more information. Please also view information on our website at: <https://www.charlottesville.gov/1664/Ready-To-Work>

- Emergency Management – Coordinator Jeremy Evans (he/him)
NATIONAL PARK SERVICE GATEWAYS GRANT: The City of Charlottesville has been awarded the National Park Service Gateways Grant. This no-match grant provides an award of \$50,000 to develop hyper-local, neighborhood-scaled and is spatially accurate on the underrepresented and underserved populations in Charlottesville.
CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK (CHESAPEAKE GATEWAYS) GRANT The Emergency Management team has submitted a proposal for the Chesapeake Gateways grant focused on discovering diversity to advance inclusion, accessibility, and equity in Charlottesville. The proposed project aims to develop locally specific (hyper-local or neighborhood-scaled), spatially accurate data (on underrepresented and underserved populations to enable inclusive initiatives with an equity lens aligned with Chesapeake Gateways Network. Data on the demographics of the Charlottesville community, like data for many other communities, fall short of providing an accurate, detailed picture of today’s City of Charlottesville population. Federal and state programs often use High-level census tract information to identify communities for support and funding (including the Justice40 Initiative for infrastructure investments). This project provides a creative, collaborative process that encourages input from many community partners connected to marginalized populations to develop accurate data for Charlottesville. We will explore their locally specific data, what they would like to have, and how to use it to support inclusivity in watersheds and other programs. The process may then be transferable to other communities across the Chesapeake Bay watershed to improve the understanding of local populations and promote inclusive engagement activities.

- Office of Human Rights – Director Todd Niemeier (he/him)
OHR will report in the next City Manager Report.

- Office of Equity and Inclusion – Deputy City Manager Ashley Reynolds Marshall (She/Her)
 - Americans with Disability Act (ADA)– ADA Coordinator Paul Rudacille (He/Him)On August 30, 2023 a news release was published updating the community on the ADA Transition Plan process (<https://www.charlottesville.gov/civicalerts.aspx?AID=1516>). The Transition Plan process involves an accessibility barrier self-assessment of City-owned right-of-way, facilities, parks, programs, and services. A review of the City’s website accessibility is included as well. The self-assessment of the City’s ROW was completed earlier during the week of the 30th, with more than 165 miles of sidewalk assessed for accessibility barriers. City parks and facilities will be assessed this fall, while a review of

programs/services is performed concurrently. crucial part of the ADA Transition Plan process is public input since community collaboration enhances the ADA Transition Plan by ensuring the focus isn't just on accessibility barriers, but also on the lived experience of those with disabilities in the community. Members of the community are encouraged to take part by completing two surveys that were launched: the ADA TP Community Engagement survey will take approximately 10 minutes to complete, and the ADA TP Abbreviated Survey can be completed in two minutes. Please use the links below to take the survey:

- ADA TP Community Engagement Survey: <https://www.surveyhero.com/c/cvilleADATPsurvey>
- ADA TP Abbreviated Survey: <https://www.surveyhero.com/c/CvilleADATPShort>
 - The City of Charlottesville's ADA Coordinator can be reached by email at ada@charlottesville.gov or by phone at 434-970-3182. In addition, information is on our website about the ADA grievance procedures and our ADA complaint procedures at <https://charlottesville.org/274/Americans-with-Disabilities-Act-ADA-Coor>.

- Home to Hope Program – Employment & Financial Opportunity Manager Roy Fitch Jr. (he/him)
The Office of Equity and Inclusion is proud to announce that not one but two Home To Hope staff members will be participating in the upcoming Leaders Lab of Greater Charlottesville 2023 - 2024! Whitmore Merrick and Courtney Brown were chosen to participate in this wonderful opportunity. The program kicks off on September 8, 2023.

- The Home to Hope program is free for community members reentering society after “time served.” For assistance, please email Home to Hope at hometohope@charlottesville.org, call them at 434-970-3601, visit their office on the Pedestrian Mall at 507 E. Main Street, or you can fill out an intake form online at: <https://www.surveymonkey.com/r/HometoHopeIntake>

- Downtown Job Center – Employment & Financial Opportunity Manager Roy Fitch Jr. (he/him)
The Downtown Job Center participated in the initial HOOS Driving Graduation. HOOS Driving is a training program created by the UVA Pipelines and Pathways Program in conjunction with the UVA Human Resources Department. The HOOS Driving is a partnership between Charlottesville Area Transit and the University of Virginia Transit Service. It functions as a training program for new transit bus driver trainees. There were 13 graduate students.

- The City of Charlottesville Downtown Job Center is now located on the Pedestrian Mall at 507 E. Main Street. Assistance is free of charge to anyone who visits the center. For more information, please call them at 434-970-3933 or visit Tuesday-Thursday from 9:30 to 4:30 pm. Mondays and Wednesdays are by appointment.

APPOINTEES AND ELECTED OFFICIAL UPDATES

- Circuit Court – Honorable Llezelle Dugger, Clerk of Circuit Court (she/her)
No update at this time
- Commissioner of the Revenue – Commissioner Todd Divers (he/him)
CHARLOTTESVILLE HOUSING ASSISTANCE PROGRAM (CHAP): Due to some unavoidable technical maintenance on the system housing online applications for the Charlottesville Housing Assistance Program, we will extend the CHAP deadline by a week to September 8, 2023. The disruption should only last for a couple of days (8/30 and 8/31), but out of an abundance of caution, we thought a full-week extension would be warranted. For more information, please call 434-970-3165.
- Finance Office – Director Chris Cullinan (he/him)
No update at this time
- Treasurer’s Office - Treasurer Jason Vandever (he/him)
This month the Treasurer's Office continues to settle in at its temporary office location next door to City Hall while lobby renovations and repairs occur, with much appreciation to Facilities and Information Technology for their support. We are welcoming students back to town with the administration of annual parking passes and trash decals. Additionally, our office is working with Finance and Budget on end-of-year financial reports and tasks.
- Sheriff’s Office – Sheriff James Brown (he/him)
No update at this time
- Office of Voter Registration and Elections – Registrar Taylor Yowell (she/her)
No update at this time

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	September 5, 2023
Action Required:	Consideration of a Rezoning Application
Presenter:	Matthew Alfele, City Planner
Staff Contacts:	Matthew Alfele, City Planner
Title:	Ordinance to rezone the properties located at 501-507 Cherry Avenue, 0 5th Street SW, and 0 6th Street SW (1 of 2 readings)

Background

Woodard Properties (applicant and owner) has submitted a Rezoning application and a Special Use Application for property located at 501 Cherry Avenue, 507 Cherry Avenue, 0 5th ST SW, and 0 6th ST SW and identified in the City's land records as Tax Map and Parcel (TMP) as 290179000, 290178200, 290177000, 290178100, and 290178000 (Subject Property). The applicant is pursuing a rezoning to change the existing zoning of the Subject Property from Cherry Avenue Mixed Use Corridor (CH) and Residential Small Lot (R-1S) to Commercial (B-3) with proffers. The proffers include:

- (1) a minimum of sixty affordable residential dwelling units should the residential portion of the development be sold to Piedmont Housing Alliance (PHA) or four to five (with proffered language that could increase the units to eight or nine) affordable dwelling units, for a minimum of six years, should a sales agreement between the owner and PHA not be executed by December 31, 2023;
- (2) Non-profit space will be provided for purchases for one-hundred twenty days after the issuance of the first certificate of occupancy (CO);
- (3) A minimum of 5,000 square feet of leased commercial space will be reserved for a grocery store that sells fresh produce until the issuance of the first CO;
- (4) The following uses within the B-3 Zoning district per Code Section 34-480 will be excluded from the Subject Property: Gas Station; Repair/servicing Business (automobile); Car Wash; Crematorium (independent of funeral home); Dry Cleaning Establishments; Drive-through windows; Taxi Stand; Towing Service, automobile; Industrial Equipment service and repair; and Wholesale Establishments;
- (5) A maximum building height shall not exceed sixty-five feet or five stories. A five foot step-back shall apply to any story above the fourth story for the Cherry Avenue frontage. Building height within forty feet of the rear (northern boundary) will be restricted to forty-five feet or three stories;
- (6) The development will be mixed use with no one type of use exceeding 80% of the gross square footage of the Subject Property.

The owner has also submitted an SUP application to increase the by-right density from 21 dwelling units per acre (DUA) to 87 DUA along with modifications to the setbacks and parking requirements. The setback modifications include the following: the 5th ST SW side will have a minimum of zero feet and a maximum of nine feet (creating a Build-to zone); the 6th ST SW side will have a minimum of zero feet and a maximum of nine feet (creating a Build-to zone); and all sides adjacent to Low

Density Residential will have a minimum setback of ten feet with S-3 Screening. The parking modifications include the following: for multifamily dwellings, 1/2 space for efficiency, 1-bedroom, and 2-bedroom units and 1 space per 3-bedroom and 4-bedroom units; for general retail and sales, 2.5 spaces per 1,000 SF of gross floor area; for grocery stores and pharmacies, 1 space per 500 SF of gross floor area; and an allowance for compact car spaces up to 40% of total spaces. The applicant is proposing a mixed-use development with up to 118 residential units and approximately 24,400 square feet of commercial space through new construction. The Subject Property is approximately 1.36 acres with road frontage on Cherry Avenue, 5th St. SW, and 6th St. SW. The Comprehensive Land Use Map for this area calls for Neighborhood Mixed Use Corridor and General Residential (Sensitive Community area).

Discussion

The Planning Commission held an in-person and virtual joint Public Hearing with City Council on August 8, 2023 on this matter. The Planning Commission and City Council had the following comments on concerns:

- How the affordable housing aspect of the project will be achieved and what levels of affordability will be offered. Piedmont Housing Alliance (PHA) indicated they are aiming to provide affordable housing at the following for this project:
 - o 10% of the units available to households at 30% Area Median Income (AMI)
 - o 50% of the units available to households at 50% AMI
 - o 40% of the units available to households at 60% to 80% AMI
 - o All units available to households using Housing Choice Voucher
- Will a grocery store be viable in this location and what happens if the applicant cannot find a tenant for the space?
- Traffic could impact 5th ST SW and 6th ST SW.

Overall, both the Planning Commission and City Council believe the development will have a positive impact on the community if implemented as proposed. They were also impressed with the level of community engagement the applicant went to in partnering with the Fifeville Neighborhood Association. This partnership and engagement have built a lot of support from the neighborhood for this project. There was some concern from the Planning Commission and City Council in regard to the proffers as they are setup in a way that relies on different moving targets being met. There was also a concern that the proffers call out specific organizations and not just land uses. Despite these concerns, both bodies believe this development could be a model for other projects in the City moving forward.

Staff note: A recording of the meeting can be found at the following link. Discussion starts at the 04:08 mark.

[Link to August 8, 2023 Public Hearing](#)

Staff note: The full application for this project can be found at the following link. Materials start on page 65.

[Link to application, background materials and staff report.](#)

Alignment with City Council's Vision and Strategic Plan

If City Council approves the Rezoning and Special Use Permit request, the project could contribute to Quality Housing Opportunities for All and a Community of Mutual Respect aspects of the City Vision Statement.

Community Engagement

On June 3, 2023, the applicant held a Community Meeting at Living Hope Outreach Church (824 Cherry Avenue) from 11:30am to approximately 2pm. The meeting was well attended with approximately forty members of the public participating and sharing their thoughts. There was positive feedback related to more affordable housing options in the neighborhood, nonprofit space, and a grocery store returning to the site. There were also concerns expressed with the massing/height, types of residential units being offered, and a historic lack of trust from the community with developers and the City. Below are some of the key takeaways from the meeting:

- Fifeville needs more affordable housing at different levels and styles.
- The building is too tall and will have a negative impact on the surrounding single family homes.
- Water and drainage are already an issue on 5th ST SW and 6th ST SW and this project will only make it worse.
- Parking will be an issue and will spill into the surrounding neighborhood.
- 5th ST SW and 6th ST SW are small narrow streets, and they will not be able to handle the additional traffic.
- Speeding is a problem on Cherry and the new development will be dangerous for pedestrians.
- Due to past developments and treatment of longtime residents in Fifeville, there is distrust with developers and the City.
- Safety and infrastructure improvements are needed around the development and should be a City priority.
- The community would like to see the site developed, but they want to make sure it is developed in a way that respects the community and gives back to the neighborhood.

The applicant took the feedback from the meeting and addressed it in their application.

On August 8, 2023, the Planning Commission held an in person and virtual joint Public Hearing with City Council that was well attended by the public. Sixteen (16) members of the public spoke and expressed the following:

- Overwhelming support for the project and what it could provide to the community and City.
- Some concerns with traffic and parking, but these issues should be addressed by the City improving the infrastructure in Fifeville.
- Support for how the developer engaged the neighborhood.
- Concern that not all residents of Fifeville were involved and more community engagement was needed.

Any emails received by staff regarding this project have been forwarded to Planning Commission and City Council.

Budgetary Impact

This has no impact on the General Fund.

Recommendation

The Planning Commission voted 4-0 to recommend the application be approved for the Rezoning.

Suggested:

"I move to approve the ORDINANCE for application ZM23-0001 rezoning the Properties located at 501-507 Cherry Avenue, 0 5th ST SW, and 0 6th ST SW, City Tax Map Parcels 290178000,

290178100, 290177000, 290178200, and 290179000 from Cherry Avenue Mixed Use Corridor (CH) and Residential Single Family Small Lots (R-1S) to Commercial (B-3) with Proffers.”

Alternatives

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance granting the Rezoning as recommended by the Planning Commission;
- (2) by motion, request changes to the attached ordinance, and then approve the Rezoning;
- (3) by motion, take action to deny the Rezoning; or
- (4) by motion, defer action on the Rezoning.

Attachments

1. 2023.08.10 - 501 Cherry Ave Proffers FINAL signed
2. 501_Cherry_Ave_RZ_ORDINANCE_9_5_23.CA Rev

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA
IN RE: PETITION FOR REZONING (City Application No. ZMA23-0001)
STATEMENT OF PROFFER CONDITIONS
For 501 CHERRY AVENUE

City of Charlottesville Tax Map 29 Parcels 177, 178, 178.1, 178.2, 179

WP 501 Cherry LLC (“Owner”) is the owner of Tax Parcels 290177000, 290178000, 290178100, 290178200, and 290179000 (collectively, the “Property”) which are the subject parcels of the rezoning application ZM23-00001, for a project known as “501 Cherry Avenue” (the “Project”). Owner seeks to amend the current zoning of the Property, subject to certain voluntary conditions set forth below. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

In accordance with the City of Charlottesville Zoning Ordinance Section 34 -41, Owner hereby proffers for City Council’s consideration voluntary development conditions, which Owner agrees are reasonable. Owner agrees that, if the Property is rezoned as requested, the use and development of the Property will be subject to and in accordance with the following conditions:

1. AFFORDABLE HOUSING:

City of Charlottesville Zoning Ordinance Section 34 -12 governs the requirement for affordable dwelling units in the event that a rezoning such as ZMA 23-00001 is approved. Ordinance Section 34-12 would require the Owner to provide five (5) affordable dwelling units to households with an income less than 80% of the area median income.

a. Owner will engage in good faith negotiations with Piedmont Housing Alliance (PHA) to co-develop a minimum of 60 residential units within the Project with a goal to sell all such units to PHA under terms mutually agreed upon between Owner and PHA. Under such a sale, the unit mix and affordability rates will be solely determined by PHA. It is expected that PHA will finance its portion of the Project through Low-Income Housing Tax Credits and an investment from the City of Charlottesville, or a combination thereof.

b. If a binding sales agreement between Owner and PHA is not executed by December 31, 2023, or if an agreement is entered into but PHA defaults thereunder, then Owner shall, in lieu of the proffer contained in section 1.a. above, cause five (5) dwelling units constructed within the Project to be For Rent Affordable Dwelling Units (the “Required Affordable Dwelling Units”). The five (5) affordable dwelling units shall remain affordable for a term of six (6) years from the date that a certificate of occupancy is issued for such unit (“Affordable Period”). For the purposes of this Proffer, the term “For Rent Affordable Dwelling Unit” means a dwelling unit that is i) affordable to households with income at not more than 60% of the area median income, or ii) leased to an individual or household that employs a Section 8 Housing Choice Voucher.

c. The Required Affordable Dwelling Units shall be identified on a layout plan, by unit, prior to the issuance of any certificate of occupancy for a residential unit within the Property (“Initial Designation”).

The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change these unit(s), and the City's approval shall not unreasonably be withheld so long as a proposed change does not reduce the number, size, or make-up of the affordable dwelling units, does not result in an Affordability Period shorter than required by these proffers with respect to any of the affordable dwelling units, and should avoid segregation of the affordable dwelling units.

d. Owner or PHA shall submit to the City's Office of Community Solutions prior to the certificate of occupancy a marketing plan on how it will market the Required Affordable Dwelling Units. The marketing plan shall provide detailed information on how the Owner will target lower-income residents.

e. On or before February 1st of each calendar year, or an alternate date mutually agreed upon by the Owner and the City, the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City on a template provided by the City's Office of Community Solutions, identifying each Required Affordable Dwelling Unit by address and location, and verifying the household income of the occupant(s) of each Required Affordable Dwelling Unit.

f. The obligations regarding Required Affordable Dwelling Units referenced above shall be set forth within one or more written declaration of covenants recorded in the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that Owner's successors in right, title and interest to the Property shall have notice of and be bound by the obligations. The Required Affordable Dwelling Units shall be provided as for-rent units throughout the Rental Affordability Period.

2. NON-PROFIT USES:

Owner agrees to offer to sell commercial condominium space at the Property to two local non-profit organizations, namely Twice Is Nice and the Music Resource Center prior to offering for sale the space to any third parties. If Twice Is Nice does not purchase condominium space within sixty (60) days of the issuance of any certificate of occupancy for the Project, and provided that proffer section 1.b. is in effect, then Owner will increase the number of Required Affordable Dwelling Units referenced in proffer section 1.b. by two (2) units. Similarly, if the Music Resource Center does not purchase condominium space within sixty (60) days of the issuance of any certificate of occupancy for the Project, and provided that proffer 1.b. is in effect, then Owner will increase the number of Required Affordable Dwelling Units by two (2) units. If, however, Owner is able to sell commercial condominium space to any non-profit organization that is qualified as tax-exempt under the applicable regulations of the Internal Revenue Code, other than Twice Is Nice or the Music Resource Center, within one-hundred twenty (120) days of the issuance of certificate of occupancy, then Owner shall be relieved of the obligation to provide two (2) additional Required Affordable Dwelling Units for each qualified non-profit that purchases condominium space in the Property, as outlined in this paragraph.

If proffer section 1.a. is in effect, and Owner is unable to sell the commercial space to non-profit organizations, then Owner will be released of the requirement for the additional affordable dwelling units referenced in this Section 2 above.

3. GROCERY USE:

Owner agrees to reserve a minimum of 5,000 square feet of commercial space at the Property for lease to a small grocery store or neighborhood grocery store that sells fresh produce. The space will be reserved exclusively for a grocery store use until the issuance of any certificate of occupancy for the Project.

4. PROHIBITED USES:

The following permitted by right land uses shall be excluded from the Property under B-3 Zoning Section 34-480:

Non-Residential: General and Misc. Commercial Uses: Gas station; Repair/servicing business (automobile); Car wash; Crematorium (independent of funeral home); Dry cleaning establishments; Drive-through windows; Taxi stand; Towing service, automobile.

Non-Residential: Industrial: Industrial equipment: service and repair; Wholesale establishments.

5. MAXIMUM BUILDING HEIGHT:

Notwithstanding the by-right seventy-foot (70') building height allowance in the B-3 District, the maximum building height permitted on the Property shall be sixty-five feet (65') or five stories. A five-foot step back shall apply to any story above the 4th story for the Cherry Avenue building frontage.

The maximum building height permitted within 40' of the Property's northern boundary, or rear property line, is further restricted to forty-five (45') feet or three (3) stories and is referred to herein as the "residential height zone." The building height permitted in the residential height zone shall be a maximum of forty-five (45') feet and no more than three (3) stories measured from 457 feet above sea level for structures adjacent to 6th Street SW and from 454 feet above sea level for structures adjacent to 5th Street SW.

6. MIXTURE OF USES:

Development on the Property shall be mixed use. For the purposes of this proffer, "mixed use" means that no one type of use, such as residential, commercial, or institutional, may exceed 80% of the gross square footage on the Property.

WHEREFORE, the undersigned Owner stipulates and agrees that the use and development of the Property shall be in conformity with the conditions hereinabove stated, and requests that the Property be rezoned as requested, in accordance with the Zoning Ordinance of the City of Charlottesville.

WP 501 Cherry LLC

By: 
Anthony Woodard (Aug 10, 2023 10:49 PDT)

Manager

Print Name: Anthony K. Woodard

Owner's Address: 224 14th Street NW, Charlottesville, VA 22903

**AN ORDINANCE
APPROVING A REQUEST TO REZONE LAND FRONTING ON CHERRY AVENUE, 5TH STREET SOUTHWEST,
AND 6TH STREET SOUTHWEST
FROM CHERRY AVENUE MIXED USE CORRIDOR (CH) AND RESIDENTIAL SMALL LOT (R-1S) TO B-3
(COMMERCIAL) WITH PROFFERS**

WHEREAS, Woodard Properties is the owner (“Landowner”) of certain land fronting on Cherry Avenue, 5th ST SW, and 6th ST SW, designated on the City Tax Map and Parcel (TMP) as 290179000, 290178200, 290177000, 290178100, and 290178000 (collectively, hereinafter, the “Subject Property”), and the Landowner is seeking to change the zoning classifications of the Subject Property from CH and R-1S to B-3 with proffers hereinafter referred to as the “Proposed Rezoning”; and

WHEREAS, a public hearing on the Proposed Rezoning was conducted by the Planning Commission and City Council on August 8, 2023, following notice to the public and to adjacent property owners as required by Virginia Code §15.2-2204 and City Code §34-44, and following the public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

WHEREAS, this City Council has considered the matters addressed within the Landowner’s application (ZM23-0001), the NDS Staff Report, public comments, the Planning Commission’s recommendation, and the Comprehensive Plan; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the Proposed Rezoning; that both the existing zoning classification and the proposed zoning classification are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Section 34-1. Zoning District Map. Rezoning the property designated on City Tax Map and Parcel (TMP) 290179000, 290178200, 290177000, 290178100, and 290178000 (“Subject Property”), containing, in the aggregate approximately 1.36 acres (approximately 59,241 square feet), from CH (Cherry Avenue Mixed Use Corridor) and R-1S (Residential Small Lot) to B-3 (Commercial) with the following Proffers:

1. AFFORDABLE HOUSING:

City of Charlottesville Zoning Ordinance Section 34 -12 governs the requirement for affordable dwelling units in the event that a rezoning such as ZMA 23-0001 is approved. Ordinance Section 34-12 would require the Owner to provide five (5) affordable dwelling units to households with an income less than 80% of the area median income.

- a.** Owner will engage in good faith negotiations with Piedmont Housing Alliance (PHA) to co-develop a minimum of 60 residential units within the Project with a goal to sell all such units to PHA under terms mutually agreed upon between Owner and PHA. Under such a sale, the unit mix and affordability rates will be solely determined by PHA. It is expected that PHA will finance its portion of the Project through Low-Income Housing Tax Credits and an investment from the City of Charlottesville, or a combination thereof.
- b.** If a binding sales agreement between Owner and PHA is not executed by December 31, 2023, or if an agreement is entered into but PHA defaults thereunder, then Owner shall, in lieu of the proffer contained in section 1.a. above, cause five (5) dwelling units constructed within the Project to be For Rent Affordable Dwelling Units (the “Required Affordable Dwelling Units”). The five (5) affordable dwelling units shall remain affordable for a term of six (6) years from the date that a certificate of occupancy is issued for such unit (“Affordable Period”). For the purposes of this Proffer, the term “For Rent Affordable Dwelling Unit” means a dwelling unit that is i) affordable to households with income at not more than 60% of the area median income, or ii) leased to an individual or household that employs a Section 8 Housing Choice Voucher.
- c.** The Required Affordable Dwelling Units shall be identified on a layout plan, by unit, prior to the issuance of any certificate of occupancy for a residential unit within the Property (“Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change these unit(s), and the City’s approval shall not unreasonably be withheld so long as a proposed change does not reduce the number, size, or make-up of the affordable dwelling units, does not result in an Affordability Period shorter than required by these proffers with respect to any of the affordable dwelling units, and should avoid segregation of the affordable dwelling units.
- d.** Owner or PHA shall submit to the City’s Office of Community Solutions prior to the certificate of occupancy a marketing plan on how it will market the Required Affordable Dwelling Units. The marketing plan shall provide detailed information on how the Owner will target lower-income residents.
- e.** On or before February 1st of each calendar year, or an alternate date mutually agreed upon by the Owner and the City, the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City on a template provided by the City’s Office of Community Solutions, identifying each Required Affordable Dwelling Unit by address and location, and verifying the household income of the occupant(s) of each Required Affordable Dwelling Unit.
- f.** The obligations regarding Required Affordable Dwelling Units referenced above shall be set forth within one or more written declaration of covenants recorded in the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that Owner’s successors in right, title and interest to the

Property shall have notice of and be bound by the obligations. The Required Affordable Dwelling Units shall be provided as for-rent units throughout the Rental Affordability Period.

2. NON-PROFIT USES:

Owner agrees to offer to sell commercial condominium space at the Property to two local non-profit organizations, namely Twice Is Nice and the Music Resource Center prior to offering for sale the space to any third parties. If Twice Is Nice does not purchase condominium space within sixty (60) days of the issuance of any certificate of occupancy for the Project, and provided that proffer section 1.b. is in effect, then Owner will increase the number of Required Affordable Dwelling Units referenced in proffer section 1.b. by two (2) units. Similarly, if the Music Resource Center does not purchase condominium space within sixty (60) days of the issuance of any certificate of occupancy for the Project, and provided that proffer 1.b. is in effect, then Owner will increase the number of Required Affordable Dwelling Units by two (2) units. If, however, Owner is able to sell commercial condominium space to any non-profit organization that is qualified as tax-exempt under the applicable regulations of the Internal Revenue Code, other than Twice Is Nice or the Music Resource Center, within one-hundred twenty (120) days of the issuance of certificate of occupancy, then Owner shall be relieved of the obligation to provide two (2) additional Required Affordable Dwelling Units for each qualified non-profit that purchases condominium space in the Property, as outlined in this paragraph. If proffer section 1.a. is in effect, and Owner is unable to sell the commercial space to non-profit organizations, then Owner will be released of the requirement for the additional affordable dwelling units referenced in this Section 2 above.

3. GROCERY USE:

Owner agrees to reserve a minimum of 5,000 square feet of commercial space at the Property for lease to a small grocery store or neighborhood grocery store that sells fresh produce. The space will be reserved exclusively for a grocery store use until the issuance of any certificate of occupancy for the Project.

4. PROHIBITED USES:

The following permitted by right land uses shall be excluded from the Property under B-3 Zoning Section 34-480:

Non-Residential: General and Misc. Commercial Uses: Gas station; Repair/servicing business (automobile); Car wash; Crematorium (independent of funeral home); Dry cleaning establishments; Drive-through windows; Taxi stand; Towing service, automobile.

Non-Residential: Industrial: Industrial equipment: service and repair; Wholesale establishments.

5. MAXIMUM BUILDING HEIGHT:

Notwithstanding the by-right seventy-foot (70') building height allowance in the B-3 District, the maximum building height permitted on the Property shall be sixty-five feet (65') or five stories. A five-foot step back shall apply to any story above the 4th story for the Cherry Avenue building frontage.

The maximum building height permitted within 40' of the Property's northern boundary, or rear property line, is further restricted to forty-five (45') feet or three (3) stories and is referred to herein as the "residential height zone." The

building height permitted in the residential height zone shall be a maximum of forty-five (45') feet and no more than three (3) stories measured from 457 feet above sea level for structures adjacent to 6th Street SW and from 454 feet above sea level for structures adjacent to 5th Street SW.

6. MIXTURE OF USES:

Development on the Property shall be mixed use. For the purposes of this proffer, "mixed use" means that no one type of use, such as residential, commercial, or institutional, may exceed 80% of the gross square footage on the Property.

and the City's Zoning Administrator shall update the Zoning District Map to reflect this reclassification of the Subject Property.

Approved as to form:

Jacob P. Stroman

Jacob P. Stroman
City Attorney

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



Agenda Date:	September 5, 2023
Action Required:	Adoption of the 5-Year City of Charlottesville Organizational Strategic Plan
Presenter:	Samuel Sanders, Jr., City Manager, Michelle Ferguson - Raftelis
Staff Contacts:	Samuel Sanders, Jr., City Manager
Title:	Adoption of the 5-Year City of Charlottesville Organizational Strategic Plan

Background

City Council has been operating on a annual extension of its previously adopted strategic plan which initially covered from Fiscal Year 2018-2020. Due to COVID-19 impact, each subsequent year there was an extension of the plan for ongoing operations. As the city has recovered from the major impacts of the pandemic, it is time to restate the priorities of council so the organization can pivot to those things that produce the desired results and position the government to meet the priorities of its public.

Council appropriated funds to engage a consultant to lead the process. Raftelis was selected and they performed a scope of work that included reviewing the prior plan, scanning the organization today, facilitating engagements with council staff, and developing the Strategic Plan Framework with Council and the beginning work on Measures and Actions with Staff. The adoption of the strategic plan is an important moment where the Council speaks, and the staff acts.

Discussion

City Council sets the vision and defines the priorities for the City of Charlottesville as an organization. That effort is best done through the creation of a Strategic Plan which is then implemented by staff under the direction of the City Manager. The Strategic Plan is offered as a 5-year document of where the city would like to see itself after the various actions and strategies are deployed to realize the goals that frame council's priorities. The work by staff will be informed by the Strategic Plan and regular updates will be provided as a measure of progress. It is also important that the Strategic Plan is highlighted throughout the annual budgets for each year the plan covers. As the organization embarks on the launch of FY25 budget preparation, staff will integrate the strategic outcome areas in a visual manner to be seen in the final production of the budget.

Alignment with City Council's Vision and Strategic Plan

This document will replace the current plan which was been extended multiple times beyond its initial operational period.

Community Engagement

Council developed the strategic plan in a facilitated work session with Raftelis representatives and key members of the City's leadership team. The work session was produced live for public viewing but no participation. Councilors were able to consider any feedback from members of the public during the period between the drafting and final consideration of the plans contents.

Budgetary Impact

Council appropriated funding to secure a consultant to facilitate a strategic planning process to culminate with the production of a 5-year plan. The initial work performed by Raftelis was performed at a cost of \$84,500. The city manager is considering an addendum for implementation services as this scope was not a part of the initial offering. A recommendation will be forthcoming.

Recommendation

"I move to adopt the 5-year City of Charlottesville Organizational Strategic Plan as presented."

Alternatives

Council could choose to not adopt and continue working on the document.

Attachments

1. Strategic Plan Framework



Strategic Plan Framework

Vision

To be a place where everyone thrives.

Commitment to Justice, Equity, Diversity, Inclusion

The City of Charlottesville is committed to implementing equitable practices and policies across all of its activities.



Strategic Outcome Areas



Climate Action

Charlottesville is a leader in improving the environment through implementation of its Climate Action Plan.



Housing

Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.



Public Safety

Charlottesville provides comprehensive, trusted public safety services and treats everyone with respect and dignity.



Economic Prosperity

Charlottesville develops strategies and economic development opportunities that drive economic prosperity for all.



Organizational Excellence

Charlottesville's well-trained and dedicated staff deliver excellent services to the community.



Recreation, Arts, Culture

Charlottesville provides, encourages, and supports a wide range of recreation, green space, arts, and cultural programs and opportunities.



Education

Charlottesville supports a broad and well-integrated set of educational opportunities that includes Charlottesville City Schools (CCS), other youth serving organizations, career technical education (CTE) providers, and Piedmont Virginia Community College (PVCC).



Partnerships

Charlottesville creates avenues for meaningful collaborations with partners and key stakeholders, such as the County, UVA, and nonprofits, to magnify positive community outcomes.



Transportation

Charlottesville provides a regional transportation system that increases mobility options and is reliable and affordable for all.