



**CITY COUNCIL AGENDA**  
**Monday, January 7, 2019**

**6:30 p.m.**

**Regular Meeting - CALL TO ORDER**  
*Council Chambers*

**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**  
**ANNOUNCEMENTS**  
**PROCLAMATIONS**

- 1. CONSENT AGENDA\*** (Items removed from consent agenda will be considered at the end of the regular agenda)
- a. Minutes – Dec. 12, 2018 Work Session; Dec. 17, 2018 Regular Meeting; Dec. 18, 2018 Special Meeting (Retreat)
  - b. APPROPRIATION: Certified Local Government (CLG) grant funding for Little High Neighborhood National Register nomination - \$33,714 (2<sup>nd</sup> of 2 readings)
  - c. APPROPRIATION: Reimbursement of Funds for Portland State University ADU Program - \$5,000 (2<sup>nd</sup> of 2 readings)
  - d. APPROPRIATION: Meadow Creek Trail Bridge Grant from VDOT - \$375,000 (1<sup>st</sup> of 2 readings)
  - e. APPROPRIATION: 250 Bypass Greenbelt Trail Grant from VDOT - \$500,000 (1<sup>st</sup> of 2 readings)
  - f. APPROPRIATION: Information Technology Funding for Office 365 Licenses - \$53,774 (1<sup>st</sup> of 2 readings)

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

**COMMUNITY MATTERS**

Public comment is provided for up to 16 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 8 spaces, and pre-registered speakers are announced by noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

- 2. PUBLIC HEARING / ORDINANCE\*:** Release of Stormwater Detention Facility Easement in Seminole Square North Wing (1<sup>st</sup> of 2 readings)
- 3. PUBLIC HEARING / ORDINANCE\*:** Underground Utility Easement to Dominion Energy at Ragged Mountain Reservoir (1<sup>st</sup> of 2 readings)
- 4. PUBLIC HEARING / ORDINANCE\*:** Zoning Text Amendment to Revise Definition of Amusement Centers and Allowable Zoning Classifications (1<sup>st</sup> of 2 readings)
- 5. PUBLIC HEARING / ORDINANCE\*:** Zoning Text Amendment on Street Designations in Mixed Use Zones (1<sup>st</sup> of 2 readings)
- 6. PUBLIC HEARING / ORDINANCE\*:** Zoning Text Amendment Modifying the Definition of Dwelling Unit (1<sup>st</sup> of 2 readings)
- 7. RESOLUTION\*:** Approval of Council Meeting Schedule for 2019 (1<sup>st</sup> of 1 reading)
- 8. REPORT:** Establishment of Priority-Setting Commission to Inform Council Funding Priorities
- 9. REPORT:** Rivanna Authority Quarterly Report (written report only)

**OTHER BUSINESS**  
**MATTERS BY THE PUBLIC**

\*ACTION NEEDED

## GUIDELINES FOR PUBLIC COMMENT

**We welcome public comment;  
it is an important part of our meeting.**

**Time is reserved near the beginning and at the end of each  
regular City Council meeting for public comment.**

**Please follow these guidelines for public comment:**

- Each speaker has **3 minutes** to speak. Please give your name and place of residence before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them. **Speaking from the audience is not permitted** without first being recognized by the Chair.
- Please **refrain from using obscenities**.
- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- If you cannot follow these guidelines, you will be asked to leave City Council Chambers and will not be permitted to re-enter.

## NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Wednesday, December 12, 2018, AT 6:30 p.m. IN City Space, 100 Fifth Street, NE, Charlottesville, Virginia 22902.

THE PROPOSED AGENDA IS AS FOLLOWS:

Behavioral Health Work Session

BY ORDER OF THE CITY COUNCIL

BY Brian Wheeler

**CITY SPACE –December 12, 2018**

Council met in special session on this date with the following members present: Ms. Walker; Ms. Hill; and Ms. Galvin. Dr. Bellamy and Mr. Signer were absent.

Ms. Walker called the meeting to order at 6:35 p.m.

### **Behavioral health system of care work session**

Mike Murphy, Interim City Manager, introduced the work session topic for Council. Ms. Kaki Dimock, Director, Department of Human Services described the work session agenda.

Ms. Dimock introduced the first presenter, Elizabeth Irwin, co-chair of the Community Mental Health & Wellness Coalition and Executive Director of the Women’s Initiative.

Dr. Judith Curry-El, clinical psychologist and therapist at Women’s Initiative, spoke about the Central Virginia Clinicians of Health Network.

Mr. Christian Martinez spoke on behalf of the Creciendo Juntos Mental Health Workgroup.

Mr. Gene Cash, spoke on behalf of the Counseling Alliance of Virginia (CAVA). He described challenges he has faced in his work as one of the few black therapists in the community. He described training he has received from Dr. Ken Hardy and how that has shaped his work as a clinician on issues of race. He said racial awareness and sensitivity are important issues to be included in training for local clinicians. Dr. Hardy conducted a training in Charlottesville in January 2018 and the community has made a commitment to bring him back annually.

Ms. Leigh Freilich, a Clinical Social Work/Therapist, spoke about the Transgender & Gender Non-Conforming (TGNC) clinical consultation group. She said there are many more people that need care than the few specialists that exist in the community can accommodate. She described this as a highly specialized and cross-disciplinary area of care. Ms. Freilich shared that there is a high rate of suicide for transgender and gender non-conforming people. She

encouraged Council to consider funding training, education and mental health care for transgender and gender non-conforming residents.

Ms. Karen Osterhaus, Director of Research and Grants at Region Ten, spoke about health and equity assessments.

Ms. Molly Yates, Director of Integrated Care at Region Ten, spoke about integrated care approaches.

Ms. Osterhaus returned to speak about the nationwide shortage of psychiatrists/prescribers.

Ms. Anna Mendez, Executive Director of Partner for Mental Health, spoke about peer navigation and support. She was joined by Ms. Cyndi Richardson who described the On Our Own peer support program. Ms. Mendez expressed her appreciation for Council's interest in mental health issues.

Ms. Deirdre Creasy, Community-Bases Support Services at Region Ten, described the Community Based Recovery Support Services program she manages in seven public housing communities and Friendship Court.

Ms. Myra Anderson spoke about her personal experience with mental illness and stigma reduction as a person of color. She said there is a greater stigma in the African-American community related to mental illness and as a result they are less likely to seek help. She called for a change in perceptions, a focus on mental wellness (as opposed to illness) and for more culturally competent care. She called for the restoration of a Sankofa Center at Region Ten,

Ms. Susan Morrow, the Drug Court Coordinator and coordinator for the Therapeutic Docket, and Ms. Ashley Bowles, Therapeutic Docket specialist at Offender Aid and Restoration, described the goals of the Therapeutic Docket, a court-administered behavioral health treatment program.

Dr. Denise Bonds, Health Director for the Thomas Jefferson Health District, spoke about Harm Reduction Approaches which include the provision of sterile syringes and disposal of syringes. The City of Charlottesville does not qualify for a Harm Reduction program that includes a needle exchange because of our low rate of opioid overdose deaths. Dr. Bonds described other Harm Reduction efforts taking place in the community. She said, for example, Narcan overdose recovery medication is available for free at the health department.

Ms. Hill thanked all the speakers. She asked how the different groups work together as partners to meet the needs of the community? Ms. Dimock responded and noted that while it may appear some organizations are doing similar work, some do it with a different cultural focus that makes the overlap desirable. She said the organizational equity assessments were playing an important role in the collection of this data.

Ms. Galvin asked about funding gaps and whether Council could receive information on this in January? Ms. Dimock said she could collect that information.

Ms. Walker invited public comment.

Mr. Tom von Hemert, the Thomas Jefferson Area Crisis Intervention Team Coordinator, said this work is a collaboration between law enforcement and mental health coalitions. He noted the jail is the largest mental health agency in community and it is 140 percent over its rated capacity. Mr. von Hemert said over the years TJA CIT initiatives had helped reduce the daily average jail population by 100 inmates. He said the University of Virginia Emergency Department is also operating over capacity and there is only one funded and staffed room with mental health specialists.

Ms. Walker asked the speakers to share their approaches to obtaining and evaluating client feedback.

Ms. Galvin left the meeting at 8:28 p.m.

Ms. Walker adjourned the meeting at 8:34 p.m.

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**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, December 17, 2018, AT 3:30 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code  
(Personnel; Legal Advice; and Boards & Commissions)

BY ORDER OF THE MAYOR

BY Brian Wheeler

**SECOND FLOOR CONFERENCE ROOM – December 17, 2018**

Council met in closed session on this date with the following members present: Ms. Walker; Ms. Hill; and Ms. Galvin. Mr. Signer arrived at 4:30 p.m. Dr. Bellamy arrived at 4:35 p.m.

Ms. Walker called the meeting to order at 3:34 p.m.

On motion by Ms. Hill, seconded by Ms. Galvin, Council voted (Ayes: Ms. Walker; Ms. Hill; and Ms. Galvin. Noes: None. Absent: Dr. Bellamy; and Mr. Signer.) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically:

Virginia Code Section 2.2-3711(A)(1) for the purpose of interviewing prospective candidates for employment as the Chief of Staff / Clerk of the Charlottesville City Council.

On motion by Ms. Hill, seconded by Ms. Galvin, Council certified by the following vote (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

Ms. Walker adjourned the meeting at 6:24 p.m.

**COUNCIL CHAMBER - December 17, 2018**

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

**ROLL CALL**

**ANNOUNCEMENTS/PROCLAMATIONS**

Dr. Bellamy shared that there will be a Kwanzaa celebration at the Jefferson School African American Heritage Center on Wednesday, December 26, 2018 from 1 p.m. to 4 p.m.

**CONSENT AGENDA**

- a. **Minutes – December 3, 2018 and December 5, 2018 Council Meetings, December 6, 2018 Work Session**

[December 3, 2018 and December 5, 2018 Council Meetings, December 6, 2018 Work Session](#)

- b. **APPROPRIATION: VDOT Recreational Access Grant - McIntire Park Bicycle and Pedestrian Bridge - \$125,000 (2nd reading)**

[VDOT Recreational Access Grant](#)

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$75,000 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge at McIntire Park; and

**WHEREAS**, the match for this grant will come from the McIntire Park Implementation Fund; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$75,000 is hereby appropriated in the following manner:

**Revenue**

\$75,000      Fund: 426      WBS: P-01005      G/L Account: 430110

**Expenditures**

\$75,000      Fund: 426      WBS: P-01005      G/L Account: 599999

**Transfer from**

\$50,000      Fund: 426      WBS: P-00207      G/L Account: 599999

**Transfer to**

\$50,000      Fund: 426      WBS: P-00270      G/L Account: 599999



**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$75,000 from the Virginia Department of Transportation.

- c. **APPROPRIATION: 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) - \$26,044 (2nd reading)**

[2018 Edward Byrne Memorial Justice Assistance Grant \(JAG\)](#)

**WHEREAS**, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance 2018 Edward Byrne Memorial Justice Assistance Grant (J.A.G.) in the amount of \$26,044 to be used for approved law enforcement equipment.

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

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$26,044, received from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, is hereby appropriated in the following manner:

<b>Revenue</b>			
\$ 26,044	Fund: 211	I/O: 1900320	G/L: 431110 Federal Grants
<b>Expenditure</b>			
\$ 26,044	Fund: 211	IO: 1900320	G/L: 520990 Other Supplies

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$26,044 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

- d. **APPROPRIATION: 2019 Aid to Localities Funding for Fire Programs - \$150,480 (2nd reading)**

[2019 Aid to Localities Funding for Fire Programs](#)

**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 \$150,480.00 be appropriated in the following manner:

<b>Revenues - \$150,480</b>			
\$150,480	Fund: 209	I/O: 1900010	G/L Account: 430110
<b>Expenditures - \$150,480</b>			

\$150,480      Fund: 209      I/O: 1900010      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$150,480 from the Virginia Department of Fire Programs.

**e.      APPROPRIATION: Year End Appropriation for FY2018 (2nd reading)**

[Year End Appropriation for FY2018](#)

**FY 2018 Year End Appropriation**

**f.      APPROPRIATION: Certified Local Government (CLG) grant funding for Little High Neighborhood National Register nomination - \$33,714 (Carried)**

[Little High Neighborhood National Register nomination](#)

**g.      APPROPRIATION: Reimbursement of Funds for Portland State University ADU Program - \$5,000 (Carried)**

[Reimbursement of Funds for Portland State University](#)

**h.      APPROPRIATION: Reimbursement of Funds for Public Works Summit - \$400**

[Reimbursement of Funds for Public Works Summit](#)

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$400 from Endeavor Business Media LLC is to be appropriated in the following manner:

**Revenues - \$400**

Fund: 105      Cost Center: 2401001000      G/L Account: 451999

**Expenditures - \$400**

Fund: 105      Cost Center: 2401001000      G/L Account: 530100

**i.      RESOLUTION: Funding for Kwanzaa Program at Jefferson School African-American Heritage Center - \$4,500**

[Kwanzaa Program at Jefferson School African-American Heritage Center](#)

**RESOLUTION**

**Jefferson School African American Heritage Center Kwanzaa Programming Request  
\$4,500**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$4,500 is hereby paid from currently appropriated funds in the Community Arts and Festivals account in the General Fund to the Jefferson School African American Heritage Center:

\$4,500

Fund: 105

Cost Center: 9753005000

- j. **RESOLUTION: ~~Designation of Carlton Views III as Revitalization Area~~ Pulled for Discussion**

[Designation of Carlton Views III as Revitalization Area](#)

Ms. Walker invited any public comment on the consent agenda. Mr. Don Gathers spoke in favor of ITEM I on the consent agenda related to the funding for the Kwanzaa Program at the Jefferson School African American Heritage Center.

Ms. Walker asked that ITEM J be pulled for discussion later in the meeting.

On motion by Ms. Galvin, seconded by Dr. Bellamy, the remainder of the CONSENT AGENDA was APPROVED. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

**AMENDMENT TO AGENDA**

Council announced they would convene in closed meeting after the regular meeting.

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

Mr. Murphy provided updates on Eighth and West Main Street pedestrian issue, needle exchange programs, and the use of Narcan by police. Mr. Murphy also noted that Council had received from Chris Cullinan, Director of Finance, follow-up materials from December 3, 2018 discussion of the audit related to funding of schools in other localities. Mr. Murphy asked that the document be attached to this meeting's minutes. [SEE EXHIBIT A]

**COMMUNITY MATTERS**

Mr. Bill Emory asked how many members of Council grew up in a "people warehouse"? He said the people at Carlton Views deserved outdoor space and they will not have any based upon proposal in front of Council. On the Comprehensive Plan he said he was very pleased the Rivanna River was recognized in the environmental chapter. He said residents of Woolen Mills had been asking for a small area plan since 1988 and he said that remains a concern.

Ms. Kim Rolla shared her time with Mr. Harold Foley who spoke on behalf of the Legal Aid Justice Center and the People's Coalition. Mr. Foley spoke about the Police Civilian Review

Board. He said there has been a lack of help to the CRB from both Council and the Police Department. He said the CRB needs help getting data to carry out its duties.

Ms. Walker asked about Mr. Foley's statement regarding lack of help from Council? Mr. Foley said he had been attending the CRB meetings and a CRB member has been unable to get data from the Police Department in order to create good bylaws for their work. Ms. Walker said she was at the meeting and the feedback given to the CRB was that the data had been previously released.

Mr. Matthew Gillikin provided feedback on the Comprehensive Plan. He said 55 percent of land in the City was zoned R-1 which has a racist legacy. The Comprehensive Plan draft seeks to undue this for the first time and he encouraged Council to take action.

Ms. Andrea Massey ceded her time to Ms. Laura Baker. Ms. Baker said she represented the National Lawyers Guild who was representing the People's Coalition. She said the Police Department's database had a standard Microsoft SQL server database and its data should be very accessible. She described exchanges between the People's Coalition and Chief Brackney regarding the availability of data. She asked for Council's help to get a clearer indication of why this data is not available.

Ms. Walker asked Mr. Murphy for feedback. Mr. Murphy said he was aware of a number of problems with the New World database implementation. There are hundreds of deliverables that have not occurred and this is a matter under review by the Emergency Communications Center which administered the software RFP.

Ms. Galvin asked if there was any legal recourse? Mr. Blair said the ECC was represented by its Counsel. He said the contract was being evaluated.

Ms. Baker was invited to respond. She said the main concern was seeing the RFP, the failed deliverables, all in order to improve transparency. Ms. Baker said the technology company behind the New World database was being sued by numerous localities.

Police Chief RaShall Brackney was invited to respond. She said Tyler Industries was in litigation with hundreds of agencies for failure to deliver on promises in RFPs related to their law enforcement database systems. Chief Brackney said other localities are having to create work around processes to extract data for reporting. She added that the New World project commenced before she was hired and that the system was activated in Charlottesville by Tyler Industries 18 months behind schedule. She said negotiations with Tyler Industries were being overseen by Albemarle County's attorney, on behalf of the ECC, to determine what remaining deliverables in the RFP could be completed.

Ms. Baker said she would like to be able to sit down and get access to the data if she was given the opportunity. She reiterated all she is asking for is access to non-confidential data that should be exportable from the system.

Mr. Graham Scharf said he was a parent of two children in City schools. He asked Council to mandate that the Neighborhood Development Services department expedite approval of learning cottages at Walker Upper Elementary School. The cottage proposal is undergoing site plan review.

Ms. Hill said she was under the impression there would be a proactive review of all school facility needs requiring site plans. She asked for staff to provide an update.

Mr. Oliver Platts-Mills encouraged Council to think about the community's future as it considers the Comprehensive Plans. He said Council should expect to hear numerous legitimate concerns on everything from tall buildings, to blocked views, to traffic to increased density of housing. He asked for Council to support all types of housing for all types of people, to think about future needs and not protecting existing norms.

Mr. Michael Payne said the Carlton Views project was an example of Council being presented two bad options. He said to break this cycle it comes down to zoning and land use decisions, and 55 percent of the city only allows single family homes. He encouraged Council to take action with the Comprehensive Plan.

Ms. Nancy Carpenter ceded her time to Ms. Mary Carey. Ms. Carey asked Dr. Bellamy for clarification about the work of the Public Housing Association of Residents and the Charlottesville Redevelopment and Housing Authority and his understanding of how well they were working together on maintenance issues. She also told Ms. Galvin that she was still waiting for an apology regarding past comments on Vinegar Hill.

Ms. Senna Magill ceded her time to Tamara Wright. She spoke on behalf of the People's Coalition. She said the Police Civilian Review Board has been prevented from reviewing policing complaints that are needed to draft its bylaws.

Ms. Hill asked about interim bylaws drafted by Police CRB. Ms. Hill said it was not Council's intention to vote on the interim bylaws, only the final bylaws. Ms. Walker said at a recent meeting Mr. Blair suggested the existing draft could be used in the interim.

Ms. Adeola Ogunkeyede from the Legal Aid Justice Center was invited to speak. Ms. Ogunkeyede said the bylaws identify data needed by the CRB to inform the drafting of its permanent bylaws. Ms. Walker asked how this situation was preventing the final bylaws from being drafted? Ms. Walker said the seven years of data requested could take over a year to compile. She encouraged the People's Coalition to review the data already provided to the CRB and to tell Council what additional information is required.

Ms. Ogunkeyede also challenged the City's position that more than two CRB members were not allowed to speak at a Council meeting. She said that the interpretation of Virginia law was the most conservative possible. Mr. Blair responded about the open meeting requirements governing Council-appointed boards and commissions under Virginia law.

Ms. Rosia Parker was invited to speak on behalf of the Police Civilian Review Board after two other CRB members (Mr. Gathers and Ms. Beard) left Council chambers leaving only Ms. Parker and Ms. Turner present as members. Ms. Parker reiterated the request for more data to assist in the drafting of bylaws. She called for the CRB meetings to be televised. Ms. Walker asked if the CRB could, at its meeting tomorrow, determine exactly what is still needed and share that with Council.

Ms. Rebecca Deeds spoke on behalf of Preservation Piedmont. She provided feedback on the Comprehensive Plan draft and called for more time to be allowed for the community to review the draft. She said there should be a greater understanding of the rationale and evidence that led to the proposed map. She called for the filling of an Assistant City Manager Position on planning issues.

Ms. Kate Fraleigh said she was involved in the People's Coalition. She acknowledged some data was provided to the Coalition and the CRB and said that tomorrow's meeting should give them time to review the data. She called for additional data to allow the CRB to complete its research and drafting of its bylaws.

Ms. Linh Vinh spoke on behalf of the Lawyers Guild for the People's Coalition. She said the CRB has been delayed in getting access to data needed to complete its permanent bylaws.

Ms. Walker read an email message sent Monday, December 10, 2018 from Chief Brackney to members of the Police Civilian Review Board which reviewed the status of various complaints related to the department. Ms. Walker said CRB members responded with appreciation for the data and that the CRB was expected to meet and determine what additional follow-up information was required. Ms. Walker said there was also a request for her and the City Attorney to attend the next CRB meeting and they did so.

Ms. Marissa Turner-Harris asked how the complaint reviews by Chief Brackney could all be completed within the same three-day span. She ceded her time to Emily Kingsley who said she was the Standing up for Racial Justice representative on the People's Coalition. She called for more data to be provided to the CRB such that they could complete their bylaws.

Mr. Louis Shultz spoke about amendments to the City Charter discussed at the previous regular Council meeting. He said the change in timing of the Council's elections from May to November was also noted as a recommended change to the Charter. He said elections had been held in November for years in defiance of the City Charter which had not been changed with respect to the timing of local elections.

Ms. Hill asked Mr. Blair to respond. Mr. Blair provided background on state law and the legislative intent of the General Assembly. He said other localities had moved away from May elections and in 2017 the General Assembly passed SB 1304 which stated that the provisions of a 2016 law addressing this matter should be applied retroactively to July 1, 2000, a time before Charlottesville changed its general election date.

Mr. Lyle Solla-Yates, a member of the Planning Commission, said he was speaking in an individual capacity. He called for approval of the Carlton Views project.

Ms. Rosia Parker said the Carlton Views development needed amenities for children and the elderly.

**ORDINANCE\*: REZONE PROPERTIES ON CARLTON AVENUE AND FRANKLIN STREET (CARLTON VIEWS) TO PLANNED UNIT DEVELOPMENT (2ND READING)**

[Carlton Views](#)

Mr. Matt Alfele, City Planner, reminded Council of its action taken at the last meeting where consensus was not reached which is why the rezoning is on the main agenda.

Dr. Bellamy said he was still trouble about the amenities proposed for the project and the condition of the existing units.

Ms. Galvin responded with information from a recent visit with residents and the resident manager. She described the shared public spaces on site today and described the proposed plaza in the new development. She said she thinks the existing buildings are well made and that the HVAC issues that contributed to a mold problem were being addressed.

Ms. Walker said she visited the existing development this past weekend. She said she heard concerns about air quality and that she heard from one mother that there were insufficient play areas for her children. Ms. Walker said multiple residents shared concerns about cracks in their doorways and walls. Ms. Walker added there was an odor on the elevator. She said she still wants to ensure there are healthy homes being built. Ms. Walker said everyone she visited with said the new management was much better.

Mr. Signer asked if there had been any legal issues between the tenants and the landlord?

Mr. Murphy responded that he was aware that one tenant had spoken to the Legal Aid Justice Center, but he had no information about that resulting in a formal legal complaint.

Ms. Galvin said the developer is prepared to improve the next parcel on the site, which is now a derelict industrial site. She said more housing and people would generate a critical mass and spur the creation of a pocket park and other amenities. She said the management is now doing a much better job and the current residents overall were very pleased. Ms. Galvin said if Council does not approve the project, she said the City would not get 48 units of affordable housing.

Ms. Walker asked if the individuals living at Carlton Views today were previously living in the City and who would get priority in the next phase of development.

Mr. Kevin Wood, the Carlton Views developer, was asked to address Council's questions. He said Housing Choice voucher holders would get first priority, and that those could be City or Albemarle County residents.

Ms. Hill said it was important for the City to have confidence that the maintenance issues will continue to be addressed.

Dr. Bellamy said the need for the affordable units supersedes his other concerns.

Mr. Alex Ikefuna, director of Neighborhood Development Services spoke about the benefits of the Revitalization Area component (Item J. on the consent agenda which was pulled).

Mr. Signer said, in the big picture, the "perfect shouldn't be the enemy of the good" with respect to this project. He said 48 units of affordable housing would be significant.

On motion by Ms. Galvin, seconded by Ms. Hill, the ORDINANCE to Rezone Properties on Carlton Avenue and Franklin Street (Carlton Views) to Planned Unit Development (2nd reading) was APPROVED (Ayes: Dr. Bellamy, Ms. Hill, Mr. Signer, Ms. Galvin; Noes: Ms. Walker.).

**AN ORDINANCE APPROVING A REQUEST TO REZONE FOUR PARCELS OF LAND LOCATED AT 1335 AND 1337 CARLTON AVENUE, AND TWO ADJACENT LOTS, FROM M-I (WITH A SPECIAL USE PERMIT) TO PLANNED UNIT DEVELOPMENT ("CARLTON VIEWS PUD")**

**RESOLUTION: DESIGNATION OF CARLTON VIEWS III AS REVITALIZATION AREA**

[Designation of Carlton Views III as Revitalization Area](#)

On motion by Ms. Hill, seconded by Ms. Galvin, Item j, a RESOLUTION for the Designation of Carlton Views III as Revitalization Area (1st of 1 reading) was APPROVED (Ayes: Dr. Bellamy, Ms. Hill, Mr. Signer, Ms. Galvin; Noes: Ms. Walker.).

**RESOLUTION  
Revitalization Area Certification for Carlton Views III**

**BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that Carlton Views III is located within a Revitalization Area, defined by the Virginia Housing Development Authority as any area that 1) the industrial, commercial or other economic development of such area will benefit the city or county but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; AND 2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live



within such area and thereby create a desirable economic mix of residents in such area.

### **REPORT: COMPREHENSIVE PLAN UPDATE**

Ms. Lisa Green, chair of the Planning Commission, gave a presentation [EXHIBIT B] about the draft Comprehensive Plan.

Ms. Green described the work to date as a major undertaking at the commission appreciates the importance of this plan at this particular time for the City. She said the process began in September 2016. There have been numerous changes with the makeup of the commission and staff.

Ms. Green said she feels six of the chapters are complete and ready for Council's final review. Other chapters, specifically those describing Land Use and Community Engagement, require additional work.

Ms. Green said initial community outreach meetings were conducted during May-June 2017. During July-August 2017 members of the commission attended other community events where they engaged the public on a drop-in basis. During September 2017 to February 2018 the commission continued its work refining the draft and made preparations for the next round of community engagement when workshops were held.

Ms. Green said during September to November 2018 the commission updated the land use map and land use chapter.

Ms. Green described the feedback received from the community about things they would like to see in an "ideal place" and the gaps that exist in those areas today. She said the commission evaluated the transit, biking and walking times between these centers.

Ms. Green said the commission reflected on how much of the City was zoned in a systematically racist way in the past with certain R1-zoned neighborhoods.

Ms. Hill asked about the drivers behind the Fall 2018 version of the map showing transitions and corridors (slide 18 in presentation). Ms. Green said the general feedback from the community was for more density and affordable housing.

Ms. Green said City staff took this feedback and created the current draft of the land use map (slide 19). She asked for feedback from Council on the current proposals.

Ms. Hill asked about the Birdwood neighborhood near the 250 Bypass and its designation as high density given that it is an established neighborhood? Ms. Green said she would do her best to represent the Commission as a whole in her responses. She said the Commission had not sat down together since staff completed this final version of the land use map. Ms. Green said this map would raise questions about the city's population goals?

Ms. Galvin said there are population numbers, for example, those used in 2012 by consultant AECOM to project the future water supply needs. She said it was important to understand the population capacity and infrastructure plans for the City when considering these proposals.

Ms. Walker said she had recently watched online some Comprehensive Plan updates done by other localities. She said the presentations often included population projections and housing strategies up front.

Mr. Signer commended the Planning Commission for the tremendous amount of work being done on a volunteer basis. He asked about the graphical presentation on the land use map and whether that was done with a best practice approach and tools? Mr. Alfele responded that the current land use map is parcel-based and has very hard edges. He said the draft before Council is done in the City's GIS system incorporating new layers based upon the Commission's feedback and moves away from hard boundaries.

Ms. Creasy said the gradations in this draft land use map create a broader set of criteria that any development proposal can be evaluated against.

Ms. Galvin said she didn't think this land use plan as proposed was the right one to inform a comprehensive rezoning. She said she thinks it has lost some connections to transportation planning, placemaking, and population projections.

Ms. Green agreed more work is required. She said she heard a lot from people about the need for parks and greenspace. She also said there must be a comprehensive review of elementary school attendance zones.

Ms. Walker said nothing should be off the table if we are going to do this right. She said some of this planning from the past started before Council was willing to take a comprehensive look at things.

Ms. Galvin asked whether at this point additional resources should be allocated to finish the plan? She noted \$250,000 had been allocated to the Housing Advisory Committee for community engagement on just a housing strategy. She suggested \$750,000 might be needed to get this to a final zoning map with appropriate community engagement.

Ms. Green said, while she couldn't put a specific cost estimate on it, there would need to be dedicated staff and professional resources working on this to complete the Comprehensive Plan.

Mr. Ikefuna said additional resources might be required to rewrite the zoning ordinance.

As to next steps, Ms. Green said Council feedback on the already completed chapters would be helpful. She asked if Council thinks the Commission is heading the right direction? Council said there was consensus on the three major themes of the land use map (as shown on slide 9): places serving community needs; walk/bike/transit connected places; and gradual transition of intensity from places to neighborhoods.

Mr. Signer expressed interest in knowing the number of dwelling units built over the past five years.

Ms. Green asked if there was support for the intensity transitions? Ms. Galvin said the amount of purple (highest density) areas in the current draft was startling. She suggested within the lower density residential areas more intensity could be created there, in the yellow-orange zones, by mixing up the types of housing units.

Dr. Bellamy asked about affordable housing incentives? Ms. Green said the housing strategy would be a key piece of information. Ms. Walker pointed out the City would need to carefully define what affordability means.

Ms. Green summarized the feedback she had received. Ms. Creasy said the Commission will reconvene on January 5, 2019 and decide their next steps. She said getting new outside resources, if that was the direction of Council, would take six-eight months.

Ms. Galvin asked if outside resources could be brought in sooner? Mr. Murphy said it might be possible, but the more people involved in the RFP development, the longer it might take. He said four-six months might be as aggressive as the City could be.

Mr. Murphy asked Council about the Capital Improvement Program calendar and whether funds for this initiative were expected sooner than July 1, the starting date of the next fiscal year's budget?

Mr. Murphy said he was unsure about the funding available, outside of the contingency fund.

Ms. Walker asked if the expertise could be brought on to staff to serve the City over the long term as opposed to hiring consultants? Mr. Murphy said he thought it was feasible to bring some people on at the planner level, but that a decision about someone at the Assistant City Manager level might be determined best by the next City Manager.

Mr. Ikefuna suggested staff needed a long range planner, a high-level position. Ms. Creasy described the current approach to staffing in the department. Mr. Murphy said staff could provide further feedback on staffing vs. consultant recommendations at a January Council meeting.

### [Comprehensive Plan Update](#)

## **OTHER BUSINESS**

Dr. Bellamy said he would like Council to discuss the name of the City's Preston Avenue, which is named after Thomas L. Preston who he said was a staunch leader of the Confederacy and owned slaves. The item will come back at a future meeting.

## **MATTERS BY THE PUBLIC**

Ms. Gloria Beard gave Council feedback on snow removal. She said the plowing often pushes snow back into the driveways. She asked who she could call in the City for help removing snow from sidewalks? She said neighbors and church members no longer help.

Ms. Nancy Carpenter said she was on the Downtown Mall on December 11 and she observed Charlottesville Police Officers interacting with a group of "houseless" individuals and she said it appeared they were chased off the mall. She called for more training in community engagement.

Mr. Bill Emory asked if a more detailed site plan was available for Carlton Views? Council members said one had been provided. Mr. Murphy added that the City's Parks & Recreation Director, Brian Daly, had met with the developer too.

Mr. Mark Kavitt said the idea of having small corner stores as suggested in the Comprehensive Plan really depended on the business owners doing high volume. He also shared information about his experiences working at PACE in the Carlton Views development. He invited Council to make an informed decision on Nassau Street.

## **CLOSED MEETING**

On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically:

Virginia Code Section 2.2-3711(A)(1) for the purpose of discussing specific prospective candidates for appointment to the Rivanna Solid Waste Authority and the Rivanna Water & Sewer Authority Board of Directors and the performance of the Chief of Police; and

Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel concerning the City of Charlottesville's community events ordinance and special events regulations; and for consultation with legal counsel concerning the termination of a specific real estate purchase agreement; and for consultation with legal counsel concerning interpretation of the City of Charlottesville's zoning ordinance and affordable housing fund requiring the provision of specific legal advice by counsel.

## **SECOND FLOOR CONFERENCE ROOM – December 17, 2018**

Ms. Walker called the meeting to order at 11:25 p.m.

On motion by Ms. Hill, seconded by Ms. Galvin, Council certified by the following vote (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information

Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) to recommend to Albemarle County that Mike Gaffney be reappointed to the Rivanna Solid Waste Authority and the Rivanna Water & Sewer Authority Board of Directors for a two-year term ending December 31, 2020.

Ms. Walker adjourned the meeting at 11:46 p.m.

General/Operating Fund  
Comparison (Unaudited)

		School System																	
		Roanoke City		Lynchburg City		Charlottesville City		Danville City*		Roanoke County*		City of Manassas		City of Falls Church		Montgomery County		Salem City*	
Unassigned/Assigned Fund Balance	\$ 20,182,146	\$ -	\$ 782,410	\$ 2,351,692	\$ 32,157 <sup>(A)</sup>	\$ 4,572,247	\$ 2,134,794	\$ 1,012,000	\$ 4,493,379										
General/Operating Fund Expenditures	\$ 162,260,279	\$ 93,833,876	\$ 59,307,055	\$ 57,347,242	\$ 140,006,991	\$ 105,747,579	\$ 48,446,558	\$ 106,286,645	\$ 41,039,691										
Months in General/Operating Unassigned Fund Balance	1.493	0.000 <sup>C</sup>	0.158	0.492	0.003	0.519	0.529	0.114	1.314										
Sources of General/Operating Revenue																			
Locality (Ex. Roanoke City)	\$ 80,922,413 48.8%	\$ 38,824,342 41.9%	\$ 42,226,706 71.0%	\$ 17,361,343 30.1%	\$ 68,738,376 47.5%	\$ 53,077,145 49.7%	\$ 41,040,500 83.7%	\$ 54,124,959 50.7%	\$ 19,760,242 45.7%										
Commonwealth/Federal	83,823,968 50.6%	51,615,216 55.7%	16,107,498 27.1%	39,756,461 68.9%	74,621,580 51.5%	53,117,916 49.7%	6,934,065 14.1%	51,377,651 48.1%	21,757,537 50.4%										
Charges for services	252,705 0.2%	1,640,533 1.8%	894,150 1.5%	55,419 0.1%	1,140,343 0.8%	456,823 0.4%	537,395 1.1%	26,958 0.0%	746,647 1.7%										
Investment Income	293,687 0.2%	- 0.0%	- 0.0%	198,170 0.3%	100,603 0.1%	51,973 0.0%	54,276 0.1%	115,301 0.1%	- 0.0%										
Other	374,492 0.2%	632,056 0.7%	235,115 0.4%	324,171 0.6%	195,614 0.1%	97,161 0.1%	477,920 1.0%	1,091,042 1.0%	944,782 2.2%										
	\$ 165,667,265 100.0%	\$ 92,712,147 100.0%	\$ 59,463,469 100.0%	\$ 57,695,564 100.0%	\$ 144,796,516 100.0%	\$ 106,801,018 100.0%	\$ 49,044,156 100.0%	\$ 106,735,911 100.0%	\$ 43,209,208 100.0%										

\* - per audited 2017 financial statements

<sup>C</sup> - unassigned fund balance reverts back to primary government

<sup>(A)</sup> - the locality has established a \$2,000,000 emergency contingency

# 2018 Comprehensive Plan Update

- Land Use Map
  - Draft Complete
- Land Use Map Narrative
  - Draft Complete
- Land Use Chapter
  - Under Development
- Community Facilities Chapter
  - Draft Complete
- Economic Sustainability
  - Draft Complete
- Environment
  - Draft Complete
- Housing
  - Draft Complete
- Transportation
  - Draft Complete
- Historic Preservation & Urban Design
  - Draft Complete
- Community Engagement
  - Under Development

# May - June 2017

- Community outreach meetings
- High level discussion of citizens' vision for the Comprehensive Plan





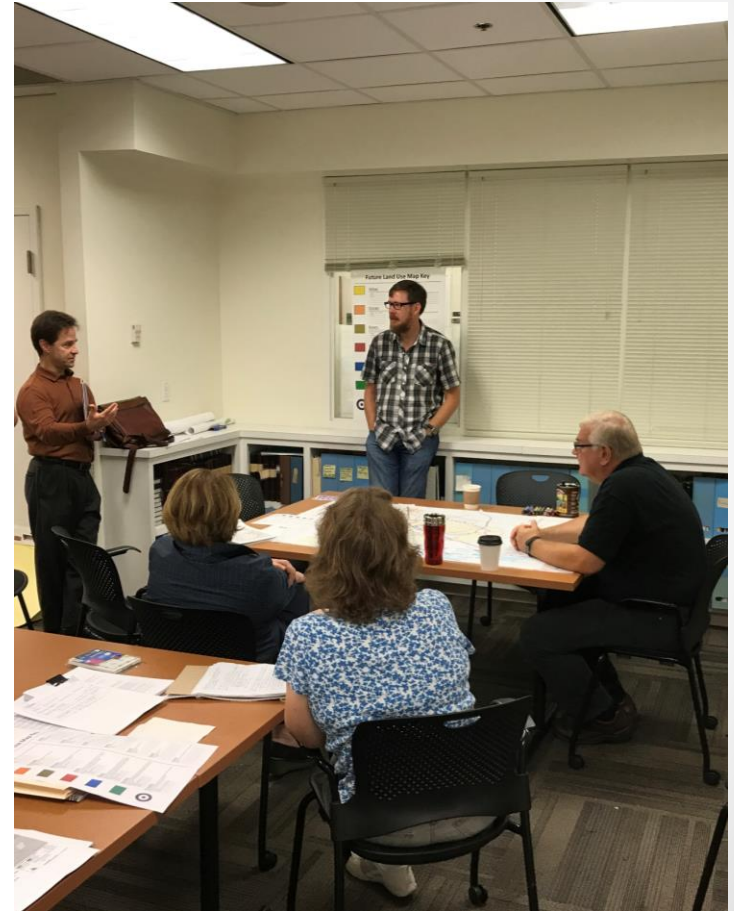
# July - August 2017

- Gather more specific public input for informing the plan
- Planning Commissioners attended already planned events Reach demographics not present in Phase I



# September - February 2018

- Planning Commissioners worked on draft materials and next round of public engagement.



# March - September 2018

- Public Outreach with Draft Materials



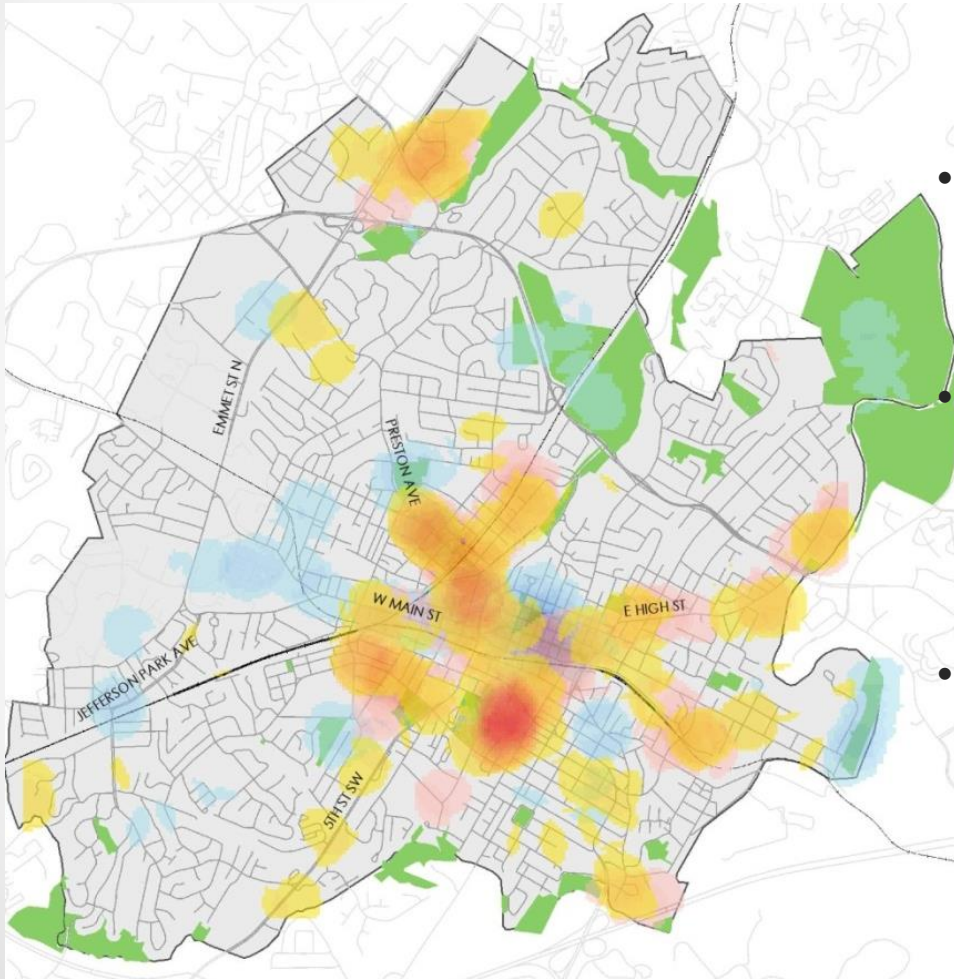
- Outreach included:
  - Boards and Commissions
  - Workshops around town
  - Community Leaders



# September - November 2018

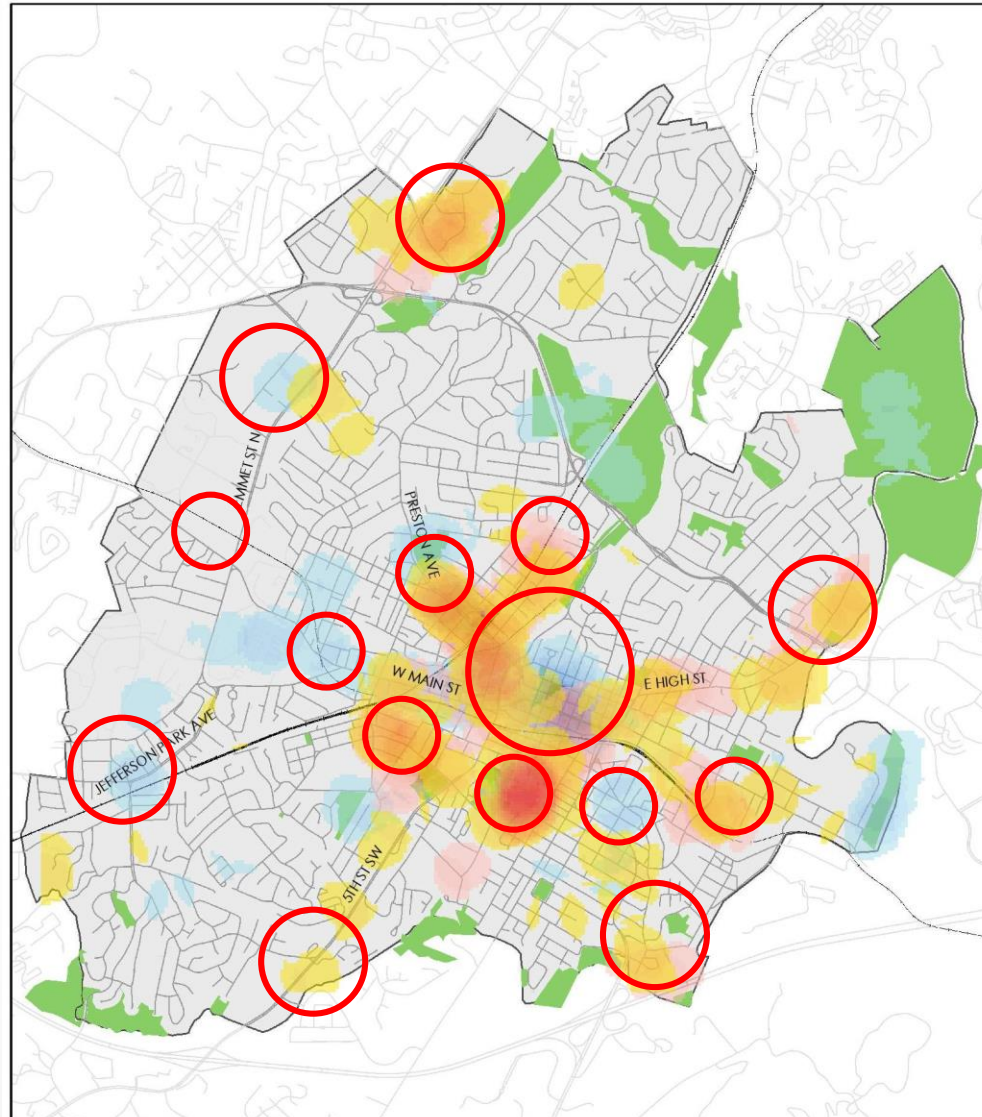
## Updating the Draft Land Use Map and Chapters

# Composite Heat Map From Community Outreach

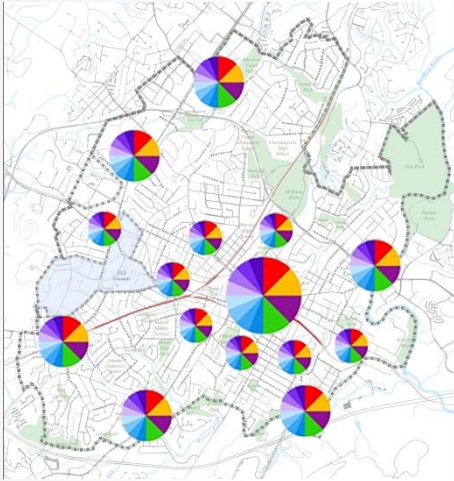


- Where are the places in Charlottesville that you like?
- Where in the City should new residential development be focused?
- Where in the City should new employment centers be located?

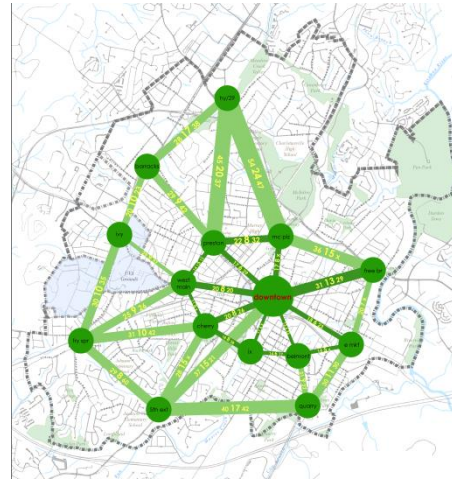
Based on input and data, PC began to identify places/patterns



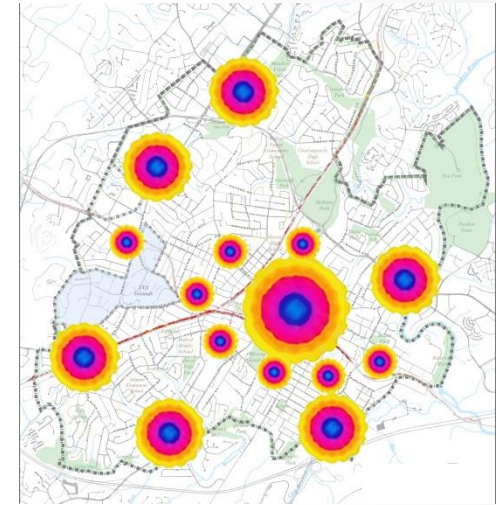
# To begin drafting Land Use Map, we identified three major ideas/themes



Places  
serving  
community  
needs



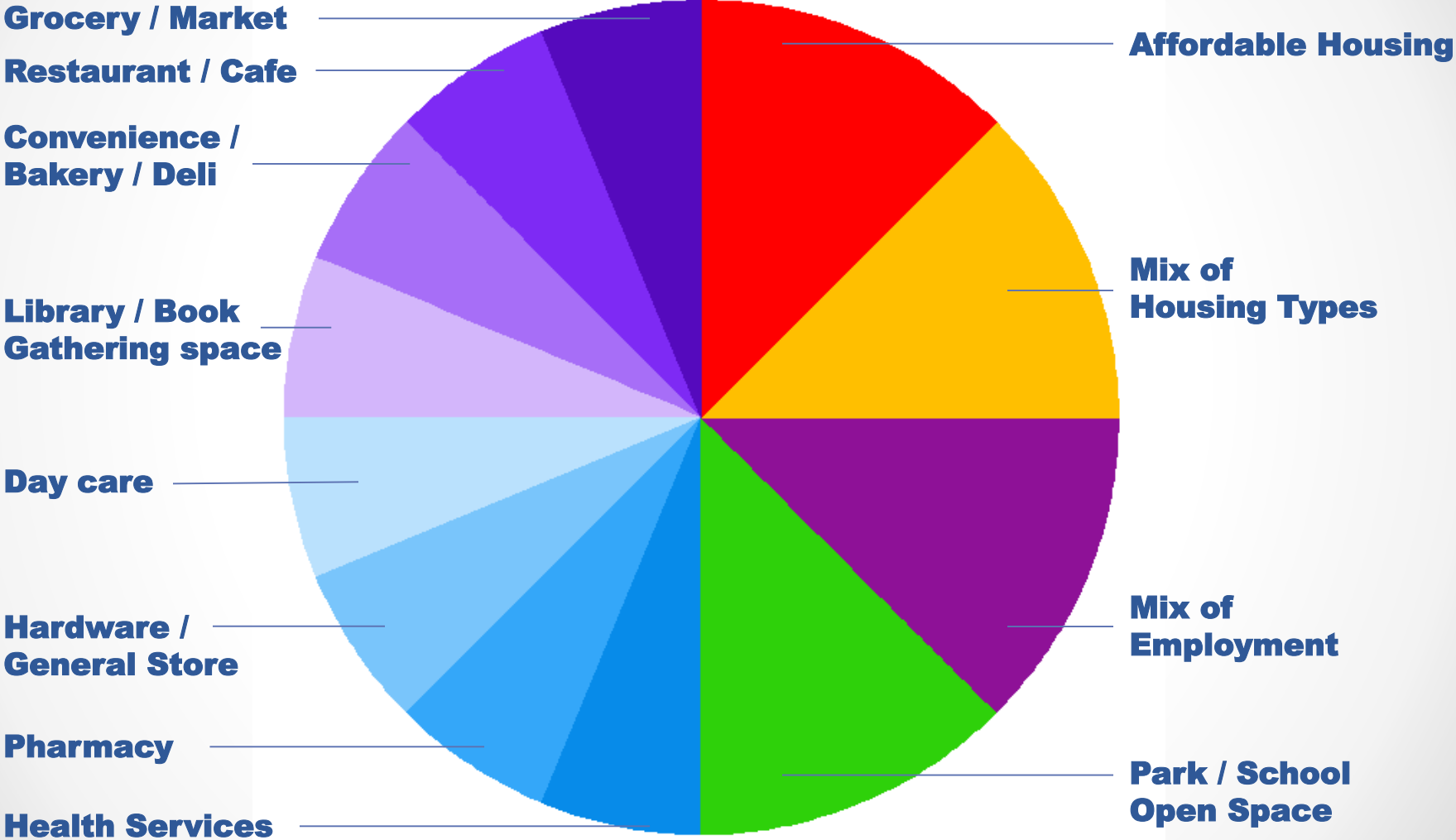
Walk/Bike/  
Transit  
Connected  
Places



Gradual transition  
of intensity from  
places to  
neighborhoods

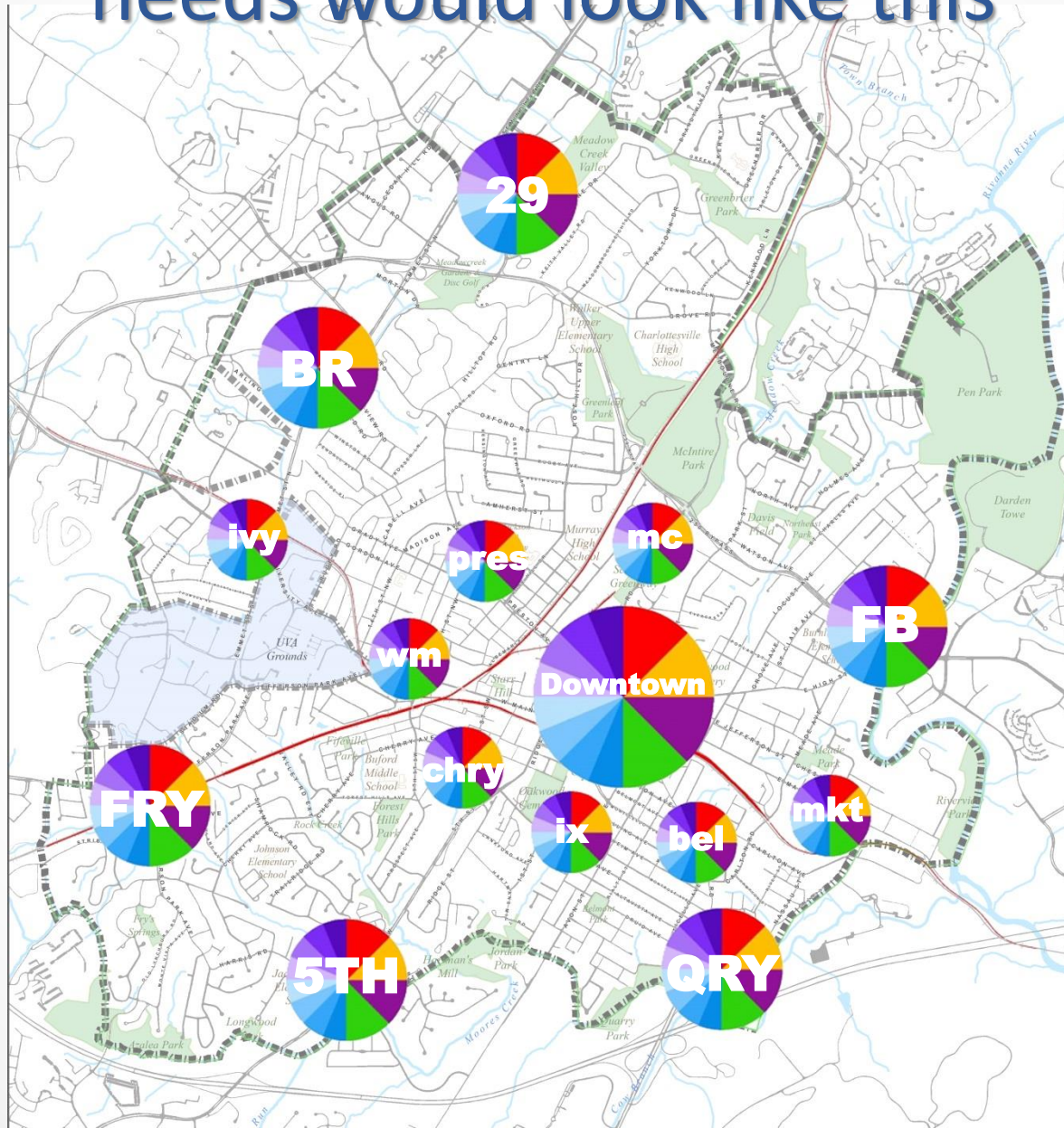
# Ideal place serving community

(a mix of uses meeting needs of daily live/work/play)



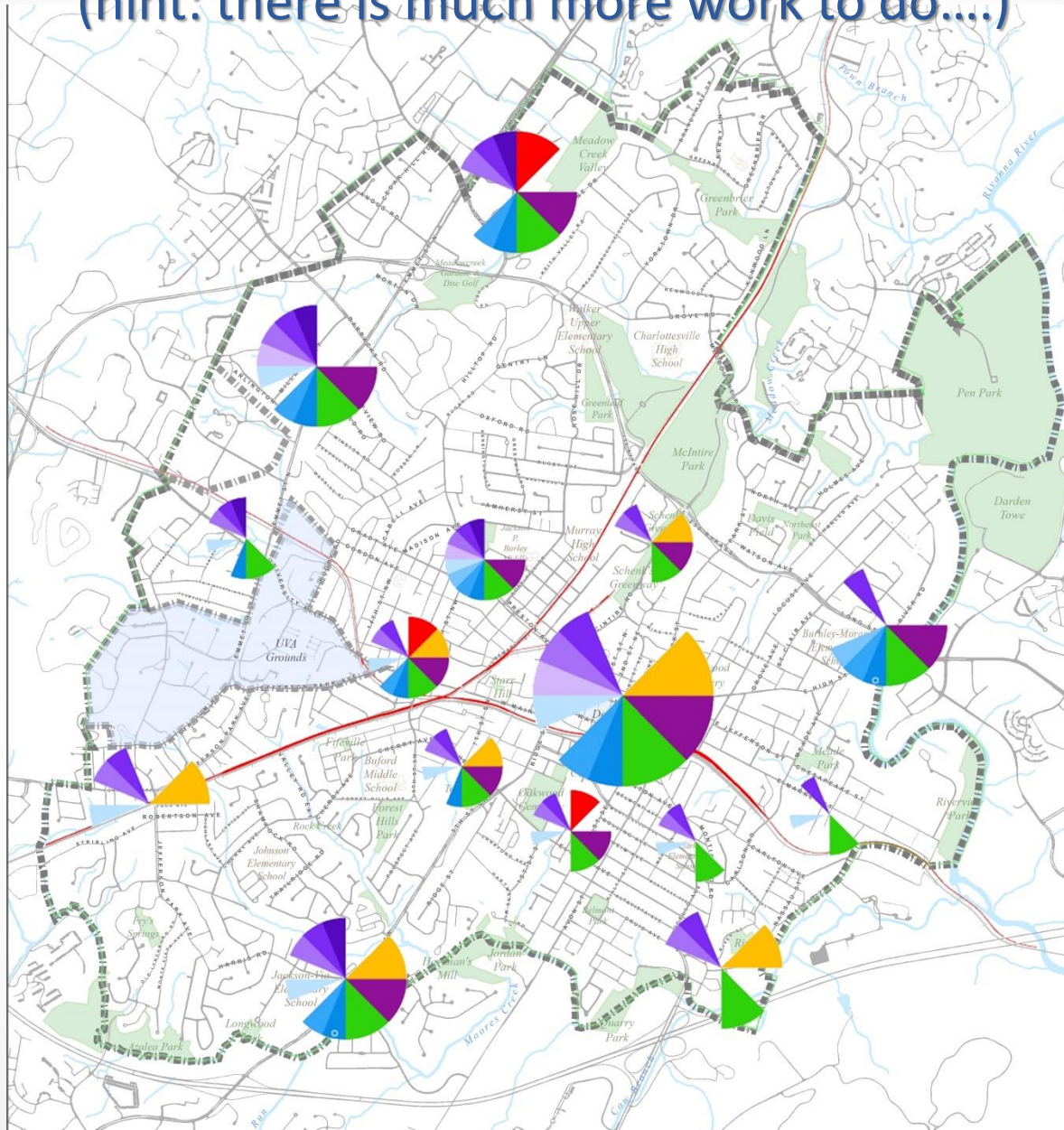


# In future, our “complete” places serving needs would look like this



# How are we Doing?

(hint: there is much more work to do....)

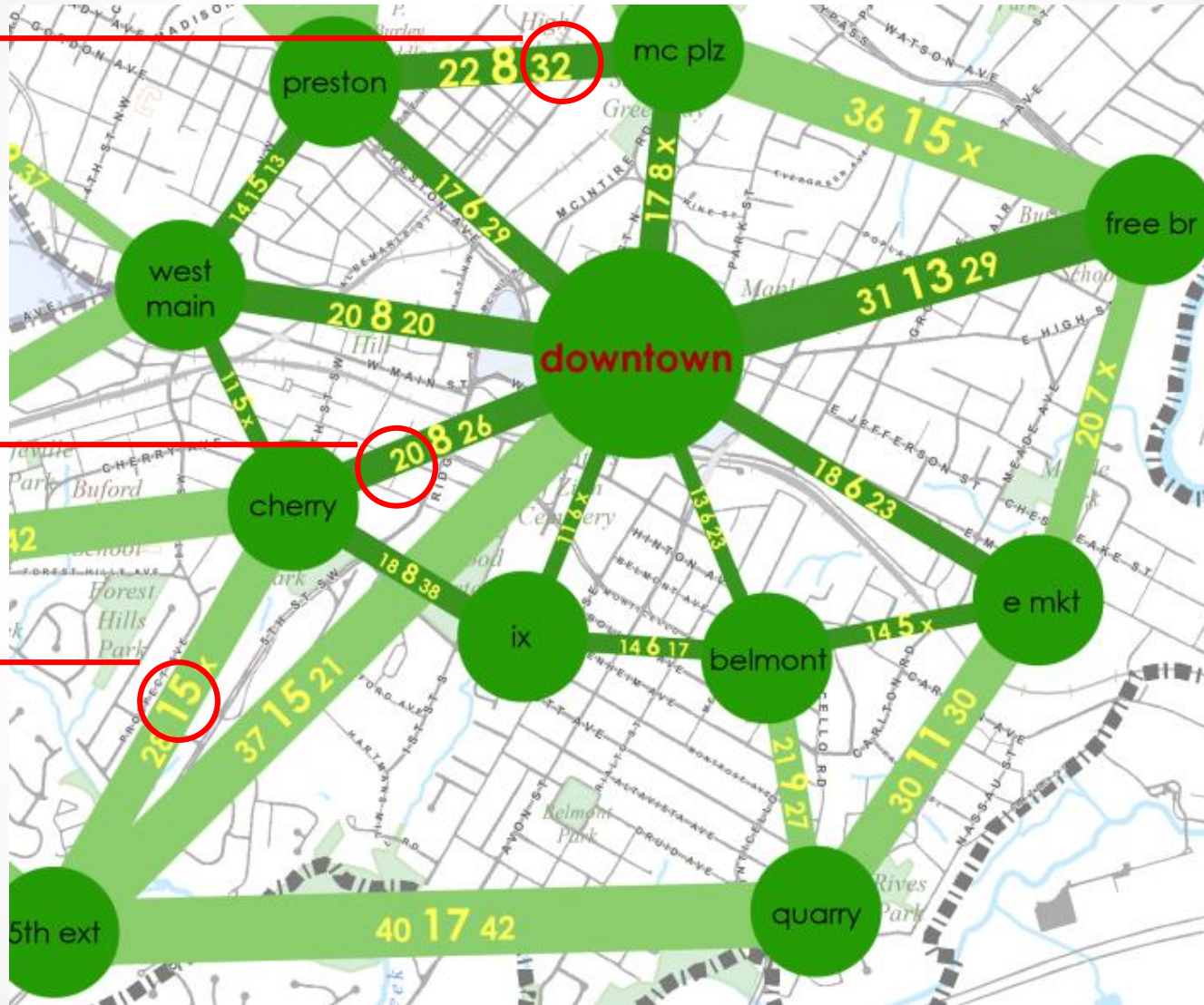


# Walk/Bike/Transit connections

Transit  
Time

Walking  
Time

Biking  
Time

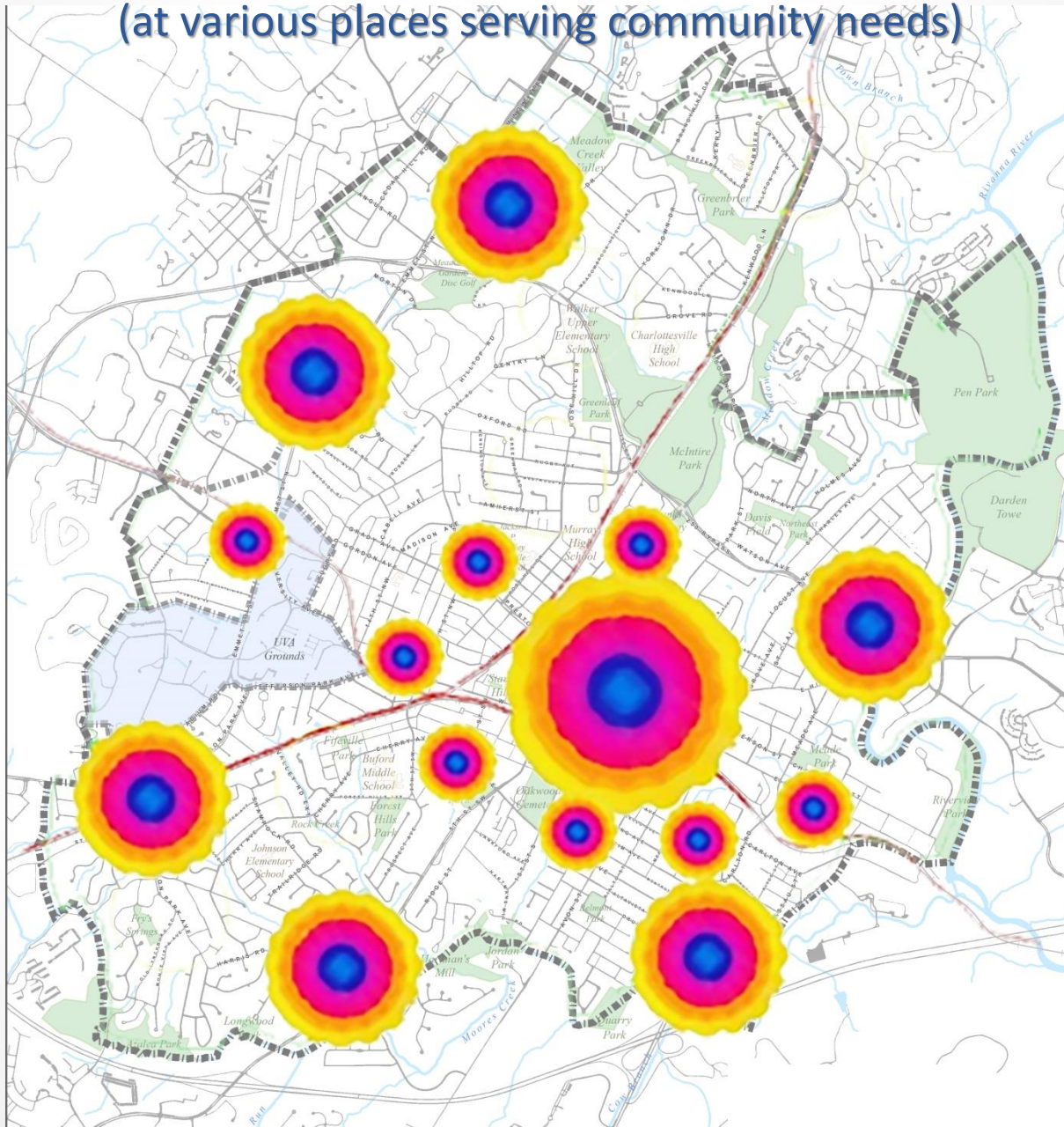


What does it mean to have a gradual transition of intensity from places to neighborhoods?

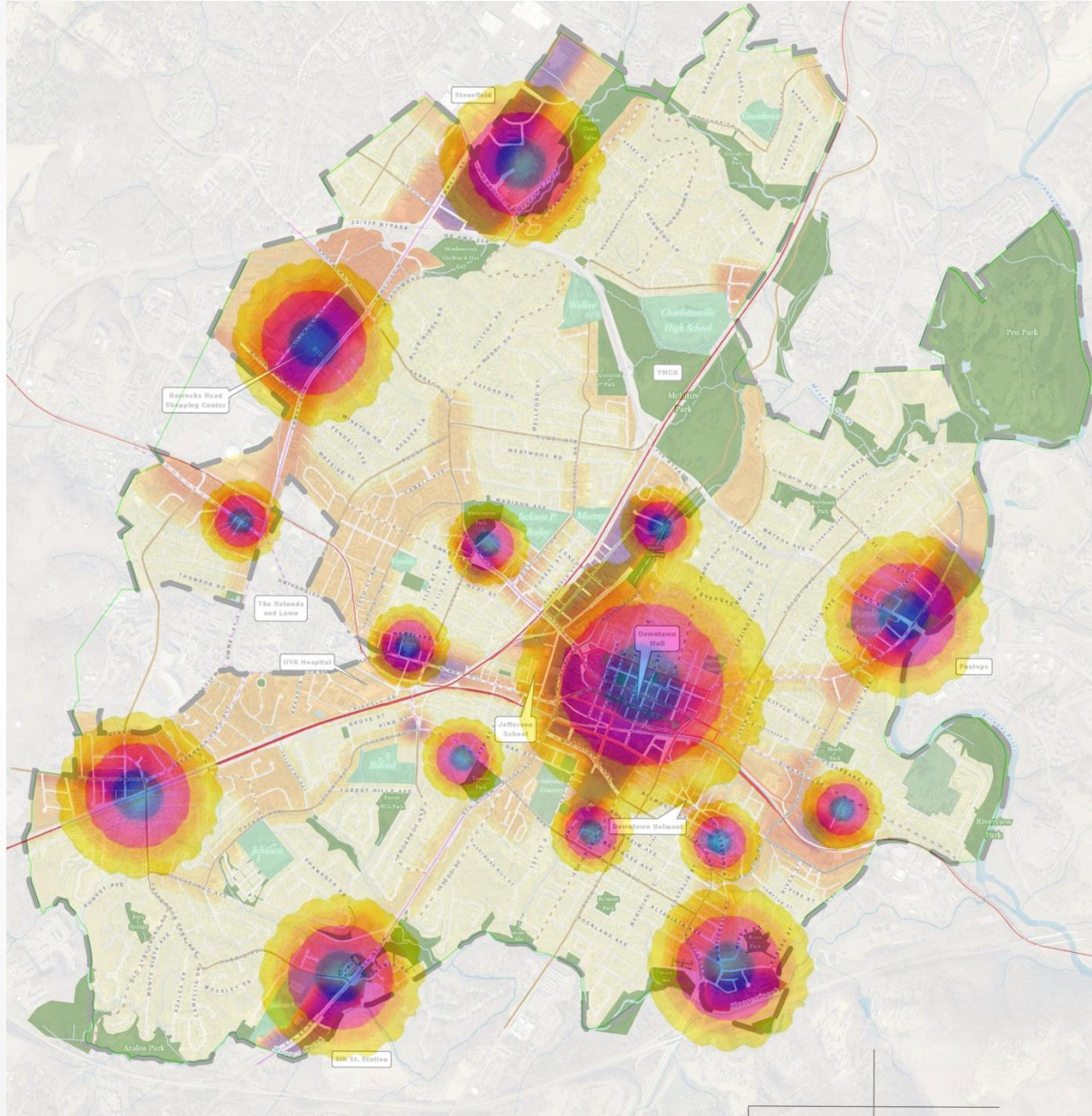


# Gradual Transition of Intensity

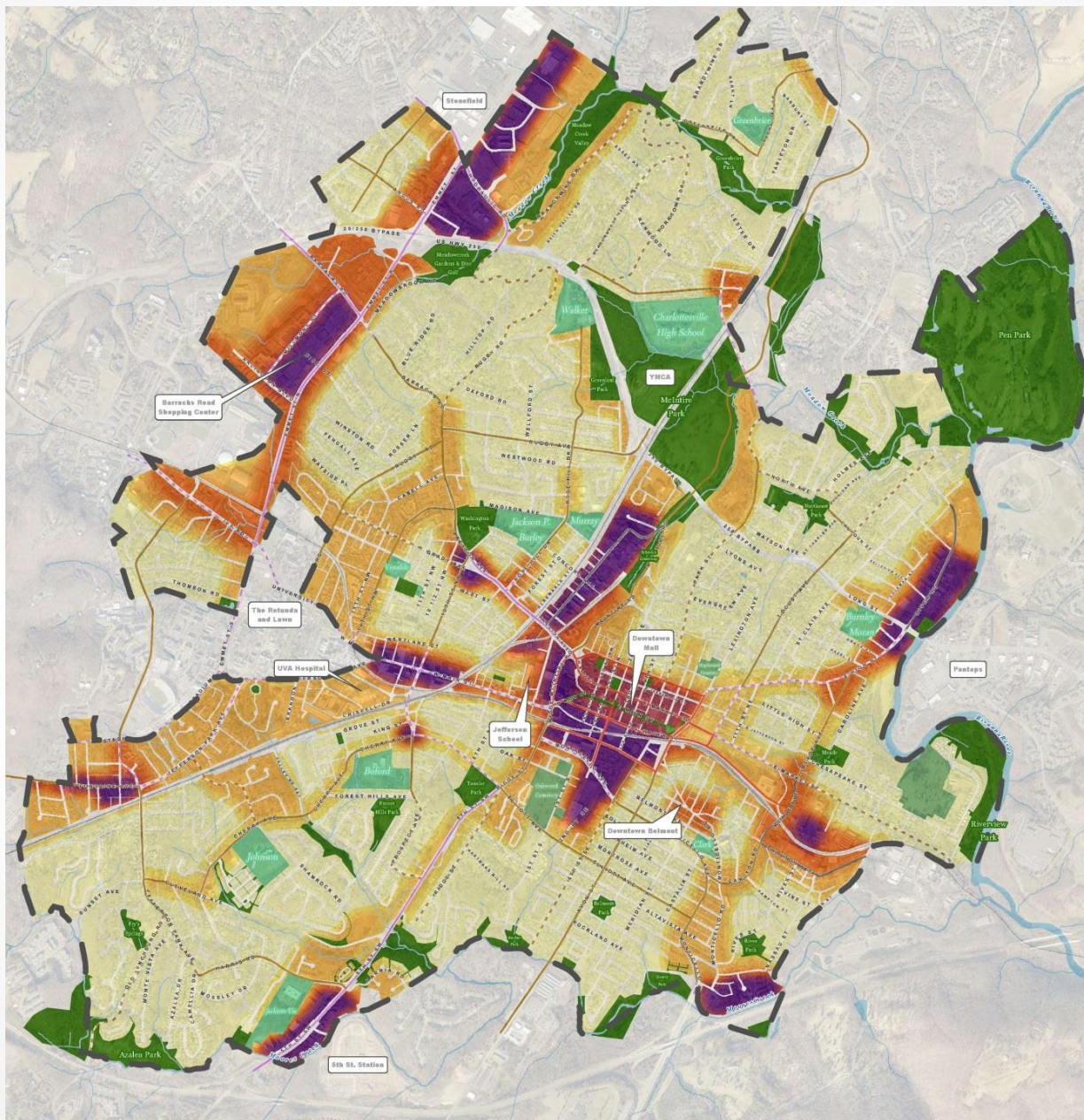
(at various places serving community needs)



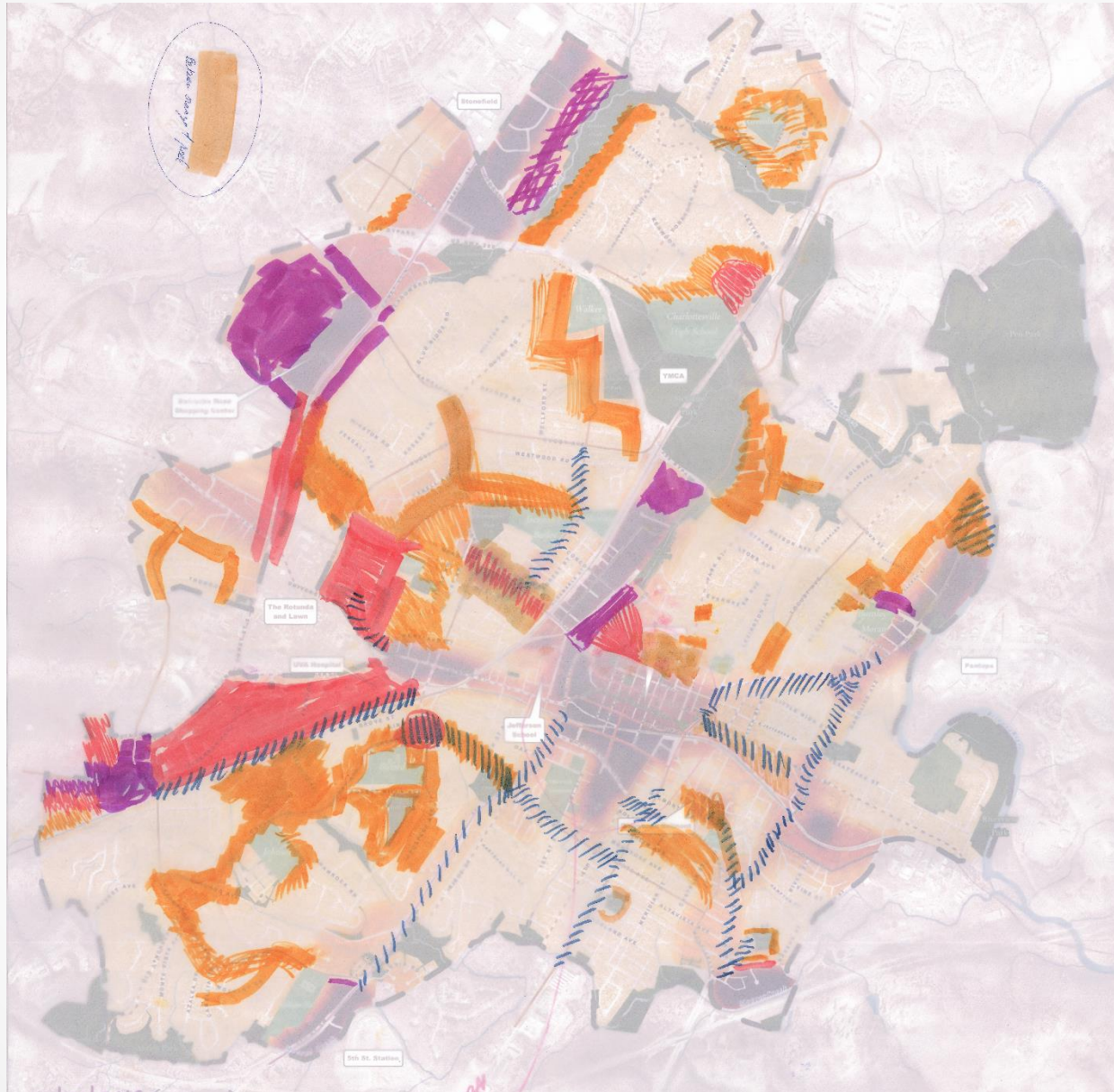
# Begin to inform Draft Land Use Map



# First Draft for Public Review

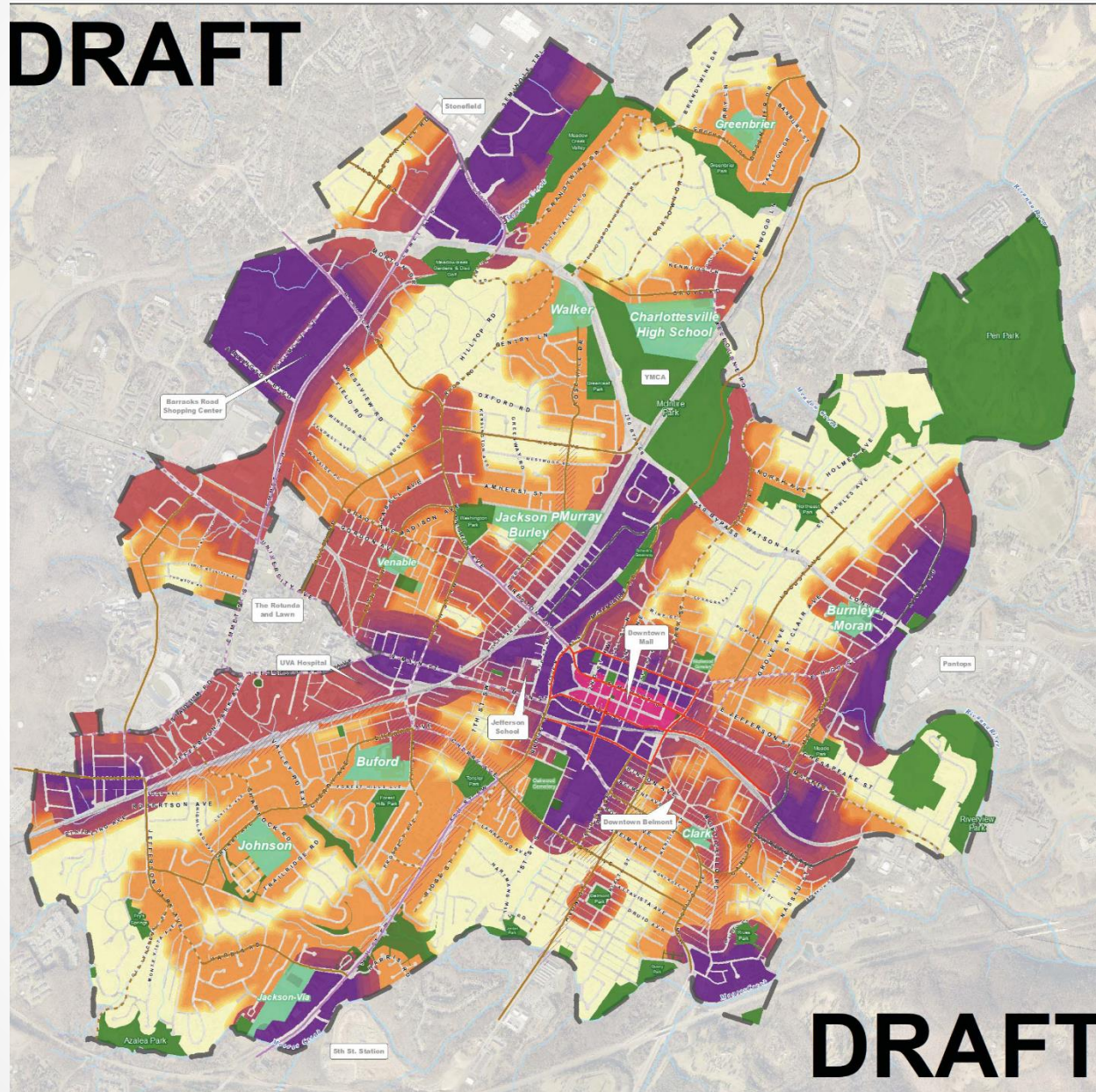


# Fall 2018 Work (Transitions and Corridors)





# Current Working Draft of Land Use Map



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**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD  
ON Tuesday, December 18, 2018, AT 9 a.m. AT THE Water Street Conference Center,  
407 E. Water Street, Charlottesville, VA 22902.

THE PROPOSED AGENDA IS AS FOLLOWS: City Council Retreat

BY ORDER OF THE CITY COUNCIL

BY Brian Wheeler

**WATER STREET CONFERENCE CENTER – December 18, 2018**

Council met in special session on this date with the following members present: Ms. Walker; Ms. Hill; Dr. Bellamy; and Ms. Galvin. Mr. Signer arrived at 9:09 a.m.

Ms. Walker called the meeting to order at 9:05 a.m.

Council held a retreat which was co-facilitated by Micah McCreary, president of New Brunswick Theological Seminary, and Beth Tanner, Vice President and Dean of Academic Affairs.

Ms. Walker adjourned the meeting at 4:45 p.m.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	December 17, 2018
Action Required:	Appropriation of Funds
Presenter:	Jeff Werner, Preservation & Design Planner, Department of Neighborhood Development Services (NDS)
Staff Contacts:	Jeff Werner, Preservation & Design Planner, NDS Alex Ikefuna, Director, NDS
Title:	<b>Virginia Department of Historic Resources (DHR) 2018-2019 Certified Local Government (CLG) grant funding for Little High Neighborhood National Register nomination - \$33,714</b>

**Background:**

The City of Charlottesville through the Department of Neighborhood Development Services has been awarded \$12,000 from the Virginia Department of Historic Resources' 2018-2019 Certified Local Government Subgrant program to have completed an historic survey of the Little High neighborhood. In addition to the grant of \$12,000 from DHR, there is a local match requirement, of \$12,000, which will be met through the usage of existing Capital Improvement Program funding for new historic surveys.

The estimated cost is \$33,714. Both the \$12,000 in city funds to match the grant and the remaining \$9,714 (\$21,714) will be provided from the existing New Historic Surveys project in the City's Capital Improvement Program.

**Discussion:**

This funding will provide a comprehensive, reconnaissance-level survey of approximately 225 properties, most of which have not been previously surveyed. It will also provide a Preliminary Information Form (PIF) based on the survey results, to determine if part or all of the neighborhood would qualify for future listing as a National Register historic district.

**Alignment with Council Vision Areas and Strategic Plan:**

Appropriation of this item aligns with Council's Vision 2025 by supporting Charlottesville Arts and Culture: **Charlottesville cherishes and builds programming around the evolving research and interpretation of our historic heritage and resources.**

This appropriation also supports **Goal 2** of the Strategic Plan: **Be a safe, equitable, thriving and beautiful community**, including: **2.5. Provide natural and historic resources stewardship, 2.6. Engage in robust and context sensitive urban planning**, and **Goal 3: Have a strong diversified economy**, including: **3.4. Promote diverse cultural tourism.**

**Community Engagement:**

In July 2017, the Little High Neighborhood Association expressed support for the historic survey. Following that, city staff reviewed the request with staff from the Virginia Department of Historic Resources, who recommended the boundaries of the survey.

**Budgetary Impact:**

No new funding is required for this project. Both the local match of \$12,000 and the additional \$9,714 in funding necessary to complete the survey (for a total of \$21,714 in City funds) will be provided from previously appropriated funding in the New Historic Surveys project.

**Recommendation:**

Staff recommends approval and appropriation of funds.

**Alternatives:**

The alternative is to not approve this project, which would be contrary to Comprehensive Plan Historic Preservation Goal 3 Incentives & Tools, 3.2 *Pursue National Register and Virginia Landmarks Register status for all future local historic districts.*

**Attachments:**

July 17, 2017 Little High Neighborhood Association letter

August 6, 2018 letter of agreement from Virginia Department of Historic Resources (DHR)

**APPROPRIATION**

**Virginia Department of Historic Resources (DHR)  
2018-2019 Certified Local Government (CLG) grant funding  
for Little High Neighborhood Historic Survey  
\$33,714**

**WHEREAS**, the City of Charlottesville, through the Department of Neighborhood Development Services, has received from the Virginia Department of Historic Resources (DHR), funding to support a historic survey for the Little High Neighborhood,

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$12,000 for the fiscal year 2018-2019 received from the Virginia Department of Historic Resources (DHR) is hereby appropriated in the following manner:

**Revenue**

\$ 12,000	Fund: 209	IO: 1900321	G/L: 430120 (State/Fed Pass Thru)
\$ 21,714	Fund: 209	IO: 1900321	G/L: 498010 (Transfer from C.I.P.)

**Expenditure**

\$ 33,714	Fund: 209	IO: 1900321	G/L: 530670 (Other contractual services)
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**Transfer**

\$21,714	Fund: 426	WBS: P-00484	G/L: 461209 (Transfer to grants)
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$12,000 for the fiscal year 2018-2019 from the Virginia Department of Historic Resources (DHR).

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



<b>Agenda Date:</b>	December 17, 2018
<b>Action Required:</b>	Approval of Appropriations
<b>Staff Contacts:</b>	Alex Ikefuna, Director Neighborhood Development Services
<b>Presenter:</b>	Alex Ikefuna, Director Neighborhood Development Services
<b>Title:</b>	<b>Appropriation of funds to the Charlottesville Affordable Housing Fund for the Thomas Jefferson Planning District Commission's Contribution to the Portland State University ADU Program - \$5,000.00</b>

**Background:**

In September 2018, the City of Charlottesville was accepted into Portland State University's Urban Sustainability Accelerator's Accessory Dwelling Unit Cohort program. Total cost of the City's participation was \$30,000, which was covered by CAHF administrative funds. The Thomas Jefferson Planning District Commission (TJPDC) is partnering with the City in this program.

**Discussion:**

In September 2018, two representatives from the TJPDC attended the program kick-off in Portland, Oregon; the \$5,000 submitted to the City by the TJPDC cover the cost of room and board during that trip, as well as other miscellaneous costs associated with program participation. These funds need to be returned to the CAHF.

**Community Engagement:**

There has been no direct community engagement on this issue, as the payment received from the TJPDC covers the cost of the organization's participation in the Portland State University Accessory Dwelling Unit Cohort program.

**Alignment with City Council Vision and Strategic Plan:**

Approval of this item aligns with the City Council Vision of ‘Quality Housing for All’ and with the Strategic Plan Goal 1.3 to “Increase affordable housing options.”

**Budgetary Impact:**

These funds will be returned to the CAHF Administrative Fund set-aside and has no impact on the amount of funds available for affordable housing programs.

**Recommendation**

Staff recommends approval of the appropriation.

**Alternatives:**

There is no alternative for appropriation of the funds, as these funds must be returned to their original source.

**Attachments:**

N/A

**APPROPRIATION**  
**Charlottesville Affordable Housing Fund**  
**Reimbursement – Thomas Jefferson Planning District Commission Contribution the**  
**Portland State University Accessory Dwelling Unit Cohort Program**  
**\$5,000.00**

**WHEREAS**, the City of Charlottesville has received payment from the Thomas Jefferson Planning District Commission for participation in the Portland State University Accessory Dwelling Unit Cohort program (\$5,000.00);

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$5,000.00 be appropriated as follows:

**Revenues:**

\$5,000.00	Fund: 426	Project: CP-084	G/L Code: 434675
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**Expenditures:**

\$5,000.00	Fund: 426	Project: CP-084	G/L Code: 599999
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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	January 7, 2019
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Chris Gensic, Parks and Recreation
<b>Staff Contacts:</b>	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Ryan Davidson, Office of Budget and Performance Management
<b>Title:</b>	<b>TAP Grant for Construction of Meadow Creek Trail Bridge - \$375,000</b>

**Background:**

The City of Charlottesville, through Parks and Recreation, has received an additional award from the Virginia Department of Transportation in the amount of \$300,000 to assist with efforts to construct a bicycle and pedestrian bridge over Meadow Creek. The City will match this project in the amount of \$75,000 from the Trail Fund for a total appropriation of \$375,000.

**Discussion:**

The City of Charlottesville has completed a bicycle, pedestrian and trail master plan that includes a bike/pedestrian commuter trail along Meadow Creek from Route 29 and Hydraulic Road to Greenbrier Park. This project will replace a previous telephone pole bridge constructed by Rivanna Trails Foundation that was heavily damaged in a storm and then removed as part of the stream restoration project. The City applied for and has been awarded the funding to design and construct the new bridge with this grant, which is an integral piece of the Meadow Creek Valley Master Plan.

**Community Engagement:**

The bicycle, pedestrian and trail master plan was developed with multiple public meetings and was approved by council to be an addendum to the City Comprehensive Plan. The Meadow Creek Valley Master Plan was also developed and approved with a number of public meetings and inputs according to the approved Parks Master Planning Process.

**Alignment with City Council's Vision and Strategic Plan:**

Construction of this trail will further council goals of being a Connected City by establishing a portion of the bicycle and pedestrian trail system that enhances our residential neighborhoods.

**Budgetary Impact:**

There is no impact to the General Fund. The required local match of \$75,000 will come from funding previously appropriated in the City's capital improvement program.

**Recommendation:**

Staff recommends appropriation of grant funds.

**Alternatives:**

If grants funds are not appropriated, Parks and Recreation staff will seek another funding source, and the project will be delayed by at least one year. Without assistance from this grant program, more local dollars will have to be expended in order to construct the trail, leaving less money for other improvements to the park.

**Attachments:**

Final Project Agreement

**APPROPRIATION**  
**TAP Grant for Construction of Meadow Creek Trail Bridge**  
\$375,000

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$300,000 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge over Meadow Creek near Greenbrier Drive; and

**WHEREAS**, the City will match this grant in the amount of \$75,000 which will come from the Trail (PR-001) account.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$375,000 is hereby appropriated in the following manner:

**Revenue**

\$300,000      Fund: 426                      WBS: P-00995                      G/L Account: 430120

**Expenditures**

\$300,000      Fund: 426                      WBS: P-00995                      G/L Account: 599999

**Transfer From**

\$75,000      Fund: 426                      WBS: PR-001                      G/L Account: 599999

**Transfer To**

\$75,000      Fund: 426                      WBS: P-00995                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$300,000 from the Virginia Department of Transportation.

Project Number: EN18-104-352 UPC: 113592 CFDA # 20.205 Locality: Meadow Creek Valley Trail - Bridge

Project Location ZIP+4: 22901-2801	Locality DUNS# 074745829	Locality Address (incl ZIP+4): 610 East Market Street Charlottesville, VA 22902-5304
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**Project Narrative**

Scope:	Construct a new, fully accessible and flood resistant bridge at this location that will both support the multi use path from Hydraulic Road to Brandywine Drive, and also to connect the trail to Greenbrier Drive that meet ADA, trail and and FEMA flood standards		
From:	Greenbrier Drive		
To:	Brandywine Drive		
Locality Project Manager Contact info:	Chris Gensic	gensic@charlottesville.org	434-970-3656
Department Project Coordinator Contact Info:	William Stowe	william.stowe@vdot.virginia.gov	540-718-4591

**Project Estimates**

	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$106,700	\$0	\$257,050	\$363,750
Estimated VDOT Project Expenses	\$3,300	\$0	\$7,950	\$11,250
Estimated Total Project Costs	\$110,000	\$0	\$265,000	\$375,000

**Project Cost and Reimbursement**

Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement -
Preliminary Engineering	\$110,000	Transportation Alternatives	20%	\$22,000	\$88,000	\$84,700
				\$0	\$0	
				\$0	\$0	
<b>Total PE</b>	\$110,000			\$22,000	\$88,000	
Right of Way & Utilities	\$0		0%	\$0	\$0	\$0
				\$0	\$0	
				\$0	\$0	
<b>Total RW</b>	\$0			\$0	\$0	
Construction	\$265,000	Transportation Alternatives	20%	\$53,000	\$212,000	\$204,050
			0%	\$0	\$0	
				\$0	\$0	
<b>Total CN</b>	\$265,000			\$53,000	\$212,000	
<b>Total Estimated Cost</b>	\$375,000			\$75,000	\$300,000	\$288,750

<b>Total Maximum Reimbursement by VDOT to Locality (Less Local Share)</b>	\$300,000
<b>Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)</b>	\$288,750

**Project Financing**

Transportation Alternatives	Local Match				Aggregate Allocations
\$300,000	\$75,000				\$375,000

**Program and Project Specific Funding Requirements**

- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual and Transportation Alternatives Program Guide.
- In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality shall complete project scoping on or before 8/12/2019.
- This is a limited funds project. The Locality shall be responsible for any additional funding in excess of \$300,000
- Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.
- Eligible VDOT project expenses will be recovered as follows: 80% will be deducted from the federal allocation and 20% will be deducted from reimbursement requests.
- The DEPARTMENT will conduct all environmental studies necessary to complete an environmental document in compliance with the National Environmental Policy Act. The LOCALITY is responsible for implementing any environmental commitments from the environmental document. In addition, the LOCALITY is responsible for obtaining any water quality permits and conducting any required hazardous materials due diligence efforts. VDOT's estimated cost for the environmental document and studies will be provided to the locality and deducted from the project funds.
- For Transportation Alternatives projects, the LOCALITY shall maintain the project or have it maintained in a manner satisfactory to the Department for its useful life and make ample provisions each year for such maintenance unless otherwise agreed to by the DEPARTMENT. Failure to do so, or the sale of a TAP funded improvement prior to the expectations as identified in the TAP Guide, may require repayment of federal funds.
- In accordance with CTB policy, the project must be under construction by 10/1/2022 or the Federal Alternatives Funding may be subject to de-allocation.
- Any ineligible items identified throughout project development will not be reimbursable.

 10/4/18  
Authorized Locality Official and Date

\_\_\_\_\_  
Authorized VDOT Official and Date

Michael C. Murphy  
Typed or printed name of person signing

\_\_\_\_\_  
Typed or printed name of person signing



# FY19/20 Surface Transportation Block Grant Set-Aside for Transportation Alternatives Program Projects Approval

Project Number	Sponsor	Applicant	Allocation Information	
<b>Culpeper</b>				
18008	Albemarle County	Albemarle County	project cost	\$512,094
	Construction of a pedestrian crosswalk on Avon St Extended (Rt 742) including pedestrian activated warning lights and segments of sidewalk on school property to provide safe access to Cale Elementary School		request amount	\$309,675
			allocation	\$309,675
18009	Albemarle County	Albemarle County	project cost	\$710,000
	Construction of a multi-use path connecting the Greer Elementary School and Jouett Middle School Campus to the existing bicycle and pedestrian facilities at the intersection of Hydraulic Road and Lambs Road and to Albemarle High School.		request amount	\$412,000
			allocation	\$412,000
18035	Fauquier County	Fauquier County	project cost	\$3,927,637
	Waterloo Bridge will be rehabilitated, preserving as much of its historic features as possible. The bridge will be removed from its current location, repaired off site, and then returned to its current location and reopened to vehicular traffic.		request amount	\$1,500,000
			allocation	\$1,500,000
18053	Rappahannock County	Rappahannock County	project cost	\$1,022,339
	Construction of a 1.2 mile, paved multi-use trail adjacent to Hwy. 211 connecting the Rappahannock County elementary and high schools.		request amount	\$815,871
			allocation	\$815,871
18129	City of Charlottesville	Charlottesville City	project cost	\$375,000
	Design and construction of a bicycle and pedestrian bridge over Meadow Creek to support the multi-use path from Hydraulic Rd to Brandywine Dr and also to connect the trail to Greenbriar Drive.		request amount	\$300,000
			allocation	\$300,000
18131	City of Charlottesville	Charlottesville City	project cost	\$1,114,949
	Construction of a multi use path along the north side of Route 250 Bypass from Hydraulic Road to McIntire Park.		request amount	\$400,000
			allocation	\$400,000
18054	Town of Warrenton	Warrenton Town	project cost	\$451,409
	Construct a multi-use bicycle and pedestrian trail along Waterloo Road that will connect local neighborhoods with Fauquier High School		request amount	\$361,127
			allocation	\$361,127

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



<b>Agenda Date:</b>	January 7, 2019
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Chris Gensic, Parks and Recreation
<b>Staff Contacts:</b>	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Ryan Davidson, Office of Budget and Performance Management
<b>Title:</b>	<b>TAP Grant for Construction of 250 Bypass Trail - \$500,000</b>

**Background:**

The City of Charlottesville, through Parks and Recreation, has received an additional award from the Virginia Department of Transportation in the amount of \$400,000 to assist with efforts to construct a bicycle and pedestrian trail along the north side of the 250 bypass. The City will match this project in the amount of \$100,000, with (\$50,000) from the Trail Fund and (\$50,000) from the Bicycle/Pedestrian Fund for a total appropriation of \$500,000.

**Discussion:**

The City of Charlottesville has completed a bicycle, pedestrian and trail master plan that includes a bike/pedestrian commuter trail along the north side of the 250 bypass from Route 29 and Hydraulic Road to McIntire Road. The portion in western McIntire Park is nearly complete, the bridge over the railroad tracks is being built this year, and the portion from the railroad to the new interchange will be built within the year. The City applied for and has been awarded the funding to complete the section of trail between Hydraulic Road and Meadowbrook Heights/Dairy Bridge with this grant.

**Community Engagement:**

The bicycle, pedestrian and trail master plan was developed with multiple public meetings and was approved by council to be an addendum to the City Comprehensive Plan.

**Alignment with City Council's Vision and Strategic Plan:**

Construction of this trail will further council goals of being a Connected City by establishing a portion of the bicycle and pedestrian trail system that enhances our residential neighborhoods.

**Budgetary Impact:**

There is no impact to the General Fund. The required local match of \$100,000 will come from funding previously appropriated in the City's capital improvement program.

**Recommendation:**

Staff recommends appropriation of grant funds.

**Alternatives:**

If grants funds are not appropriated, Parks and Recreation will seek another funding source, and the project will be delayed by at least one year. Without assistance from this grant program, more local dollars will have to be expended in order to construct the trail, leaving less money for other improvements to the park.

**Attachments:**

Final Project Agreement

**APPROPRIATION**  
**TAP Grant for Construction of 250 Bypass Trail**  
**\$500,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$400,000 from the Virginia Department of Transportation to construct a bicycle and pedestrian trail along the 250 bypass; and

**WHEREAS**, the City will match this grant in the amount of \$100,000 which will come from the Trail (PR-001) and Bike/Ped (CP-083) accounts.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$500,000 is hereby appropriated in the following manner:

**Revenue**

\$400,000	Fund: 426	WBS: P-00891	G/L Account: 430120
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**Expenditures**

\$400,000	Fund: 426	WBS: P-00891	G/L Account: 599999
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**Transfer From**

\$50,000	Fund: 426	WBS: PR-001	G/L Account: 599999
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\$50,000	Fund: 426	WBS: CP-083	G/L Account: 599999
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**Transfer To**

\$100,000	Fund: 426	WBS: P-00891	G/L Account: 599999
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$400,000 from the Virginia Department of Transportation.

# FY19/20 Surface Transportation Block Grant Set-Aside for Transportation Alternatives Program Projects Approval

Project Number	Sponsor	Applicant	Allocation Information	
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	Construction of a multi use path along the north side of Route 250 Bypass from Hydraulic Road to McIntire Park.		request amount	\$400,000
			allocation	\$400,000
18054	Town of Warrenton	Warrenton Town	project cost	\$451,409
	Construct a multi-use bicycle and pedestrian trail along Waterloo Road that will connect local neighborhoods with Fauquier High School		request amount	\$361,127
			allocation	\$361,127

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	January 7, 2019
Action Required:	Appropriation
Presenter:	Sunny Hwang, Interim Director Department of Information Technology
Staff Contacts:	Sunny Hwang, Interim Director Department of Information Technology Ryan Davidson, Senior Budget and Management Analyst
Title:	<b>Funding Requirements for Microsoft Office 365 Licensing - \$53,774</b>

**Background:**

The Department of Information Technology (I.T.) has worked with the City Manager's Office, City departments, and the City of Charlottesville Innovation Team to help enhance operational efficiency, departmental collaboration, employee communication and citizen engagement. As part of this initiative, Microsoft Office 365, a cloud-based suite of collaboration tools including email, office suite, online document management and storage system has been implemented. City I.T. seeks appropriation of \$53,774 of the IT Operations Fund Balance to purchase the additional Office 365 licenses that will be needed to account for growth and also to provide this service to all city employees, including those without City-issued PCs.

**Discussion:**

City departments have expressed a growing need to close the existing operational gap and have requested to extend Office 365 services to all city employees in order to increase employee engagement, facilitate training, and enhance communication.

In the past several months, City I.T. staff has studied licensing options, reconciled existing accounts, and worked closely with City departments to determine the appropriate type and number of Microsoft licenses. I.T. estimates that an additional 500 licenses will be needed to facilitate completion of this project. The additional users include field operations personnel, bus drivers, permanent part-time employees, the inclusion of Social Services (which was not previously part of our licensing agreement), and licenses to account for additional positions added over the past several years.



**Alignment with City Council's Vision and Strategic Plan:**

The project supports City Council's "Smart, Citizen Focused" vision. In addition, it contributes to Goal 5 of the Strategic Plan to integrate effective business practices and strong fiscal policies, recruit and cultivate a high quality and diverse workforce, provide responsive customer service and foster effective community engagement. Collaboration tools in Office 365 are currently being utilized in staff/citizen partnerships such as the Minority Business Task Force.

**Community Engagement:**

Not applicable.

**Budgetary Impact:**

Funding for the additional licenses will be appropriated from the existing fund balance in the Information Technology Fund. If not approved the General Fund would be have to absorb these costs (\$53,774).

**Recommendation:**

Staff recommends approval and appropriation of I.T. Operations fund balance for Office 365 licenses.

**Alternatives:**

If I.T. Operations fund balance is not appropriated, cost would have to be absorbed by the General Fund or the Microsoft Office 365 services would not be able to be offered to all city employees.

**Attachments:**

Appropriation.

**APPROPRIATION**

**Appropriation of Information Technology Fund Balance for Office 365 Licenses  
\$53,774**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of up to \$53,774 in Information Technology fund balance, will be transferred to the General Fund to be used as funding for the Office 365 licensing and shall be hereby appropriated in the following manner:

**Revenues - \$53,774**

Fund: 105                      Cost Center: 2141001000                      G/L Account: 498010

**Expenditures - \$53,774**

Fund: 105                      Cost Center: 2141001000                      G/L Account: 519999

**BE IT ALSO RESOLVED** that the fund balance transfer from the Information Technology fund is hereby appropriated in the following manner;

**Expenditure - \$53,774**

Fund: 705                      Cost Center: 2101001000                      G/L Account: 561105

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



Agenda Date:	January 7, 2019
Action Requested:	Public Hearing and Ordinance (1 <sup>st</sup> reading)
Presenter:	John Blair, City Attorney Tony Edwards, Manager, Engineering Division
Staff Contacts:	Tony Edwards, Manager, Engineering Division
<b>Title:</b>	<b>Release of 1985 Stormwater Detention Easement in Seminole Square Shopping Center</b>

**Background:**

The Towers Limited Partnership, owner of Seminole Square Shopping Center (City Tax Map 41C, Parcel 3.1), and Pepsi Bottling Company, owner of the Pepsi Bottling Plant near Seminole Square (City Tax Map 41C, Parcel 3), hereinafter collectively the “Owners”, are requesting City Council to release a stormwater detention easement granted to the City in 1985 when Seminole Square was being developed. In connection with planned site improvements, including construction of retaining walls in the general location of the existing easement, the Owners were each granted critical slope waivers by City Council on October 2, 2017. The critical slope waivers were conditioned upon the Owners petitioning Council to abandon the 1985 stormwater detention easement, thereby transferring the burden of maintenance from the City to the Owners.

**Discussion:**

The Departments of Public Works, Neighborhood Development Services/Engineering, and Public Utilities were asked to review and comment on the proposed release of the subject easement. There were no staff objections to releasing the easement because the City would be relieved of any maintenance responsibility for the stormwater detention facility – the site plan still requires stormwater detention but the Owners would have to maintain it. The proposed ordinance to release the easement is conditioned upon approval of the final site plan to ensure that replacement stormwater management structures are built and maintained by the property owner.

**Community Engagement:**

A public hearing is being held to give the public an opportunity to comment on the release of the 1985 Stormwater Detention Easement. Notice of the public hearing was advertised as required under Virginia Code Sec. 15.2-1800(B).

**Budgetary Impact:**

None.

**Recommendation:**

Staff recommends approval of the Ordinance.

**Attachments:**

Ordinance  
1985 Plat Showing the Stormwater Detention Easement  
Resolutions Approving Critical Slope Waivers on October 2, 2017

**AN ORDINANCE  
RELEASING THE 1985 STORMWATER DETENTION EASEMENT  
ACROSS PROPERTIES KNOWN AS SEMINOLE SQUARE SHOPPING CENTER  
AND PEPSI BOTTLING PLANT**

**WHEREAS**, Towers Limited Partnership and Pepsi Bottling Company, hereinafter the “Owners” own property designated as City Tax Map Parcel 41C003100 (Seminole Square Shopping Center) and City Tax Map Parcel 41C003000 (Pepsi Bottling Company), respectively, hereinafter the “Property”; and

**WHEREAS**, the Owners have asked the City to release the 1985 Stormwater Detention Easement (“Easement”) crossing the Property, said easement being shown on a plat of record in the Charlottesville Circuit Court Clerk’s Office in Deed Book 470, Pages 807-808; and

**WHEREAS**, the Easement to the City was created in 1985 to provide stormwater detention facilities, which the City has maintained, as part of the development of the Seminole Square Shopping Center; and

**WHEREAS**, City Council approved two (2) resolutions on October 2, 2017 granting critical slope waivers to the Owners, conditioned upon the Owners accepting maintenance of the stormwater detention facilities and petitioning City Council to release the existing 1985 Easement; and

**WHEREAS**, Towers Limited Partnership submitted a site plan for redevelopment of Seminole Square Shopping Center which includes alternative stormwater management facilities to replace the existing 1985 stormwater detention facility; and

**WHEREAS**, City staff have reviewed the request to release the Easement, and have no objection to the release of the 1985 Easement because it would relieve the City of the burden of maintenance, but still provide management of stormwater through the new site plan; now, therefore

**BE IT ORDAINED** that the Mayor is hereby authorized to sign a Deed of Release, in form approved by the City Attorney, to release the above-described Stormwater Detention Easement granted in 1985 to the City; provided, however, such Deed of Release shall not be recorded by the City Attorney until the aforementioned site plan submitted by Towers Limited Partnership is approved by the City.

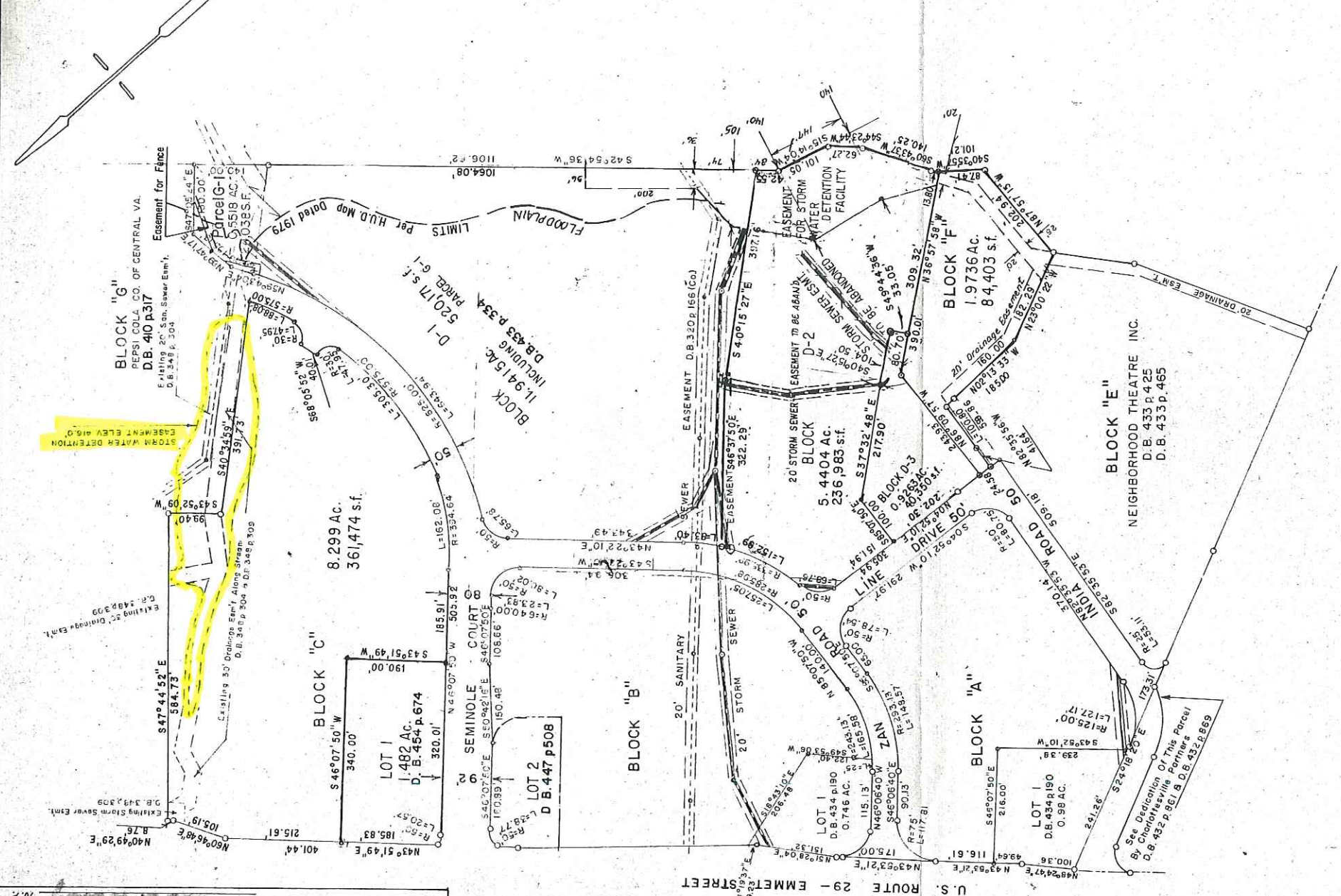
STATE OF VIRGINIA  
 I, John E. Mohr, a notary public for the state  
 whose names are signed  
 to the foregoing writing bearing date of 10/27/85  
 19 have acknowledged the same before me  
 in my state aforesaid. Given under my hand this  
19 day of October 19 1985. My commission  
 expires \_\_\_\_\_

**OWNERS APPROVAL**  
 This subdivision is made with the consent of the  
 undersigned owners, proprietors, and/or trustees.  
 All roads and streets if not previously dedicated  
 are hereby tendered for dedication to public use.

*William S. Roudabush, Jr.*  
 Secretary

**CITY PLANNING COMMISSION**  
 Chairman  
 Secretary  
 Date 10/11/85

20  
 1  
 DENOTES STORM SEWER AND 20 FT. EASEMENT  
 DEDICATED TO THE CITY OF CHARLOTTESVILLE  
 FOR MAINTENANCE  
 DENOTES SOFT DRAINAGE EASEMENT FOR  
 SURFACE DRAINAGE OR FUTURE STORM SEWER  
 DEDICATED TO THE CITY OF CHARLOTTESVILLE  
 FOR MAINTENANCE  
 A Permanent Utility and Landscaping Easement is Reserved for  
 The Benefit of the City of Charlottesville Within (5') Five Feet of  
 Any Street or Highway Boundary  
 Note: The Blocks Hereon Are Intended For  
 Subsequent Subdivision into Multiple Lots or Parcels  
 In Accordance With City Subdivision Regulations.  
 SETBACKS:  
 M-1 FRONT=20'  
 B-3 REAR=5'  
 CORNER-SIDES=5'



COMPOSITE PLAT  
 SHOWING REVISIONS TO  
 BLOCKS "C" THRU "F" & STORM WATER DETENTION FACILITY  
**SEMINOLE SQUARE**  
 CHARLOTTESVILLE, VIRGINIA

Scale: 1" = 200'  
 APRIL 30, 1985  
 DECEMBER 3, 1984  
 REV: DECEMBER 7, 1984  
 DECEMBER 10, 1984  
 Floodplain Limits Added  
 Per H.U.D. Flood Maps  
 Dated 1979



WILLIAM S. ROUDABUSH, JR.  
 Engineers - Surveyors - Planners

**RESOLUTION APPROVING A REQUEST FOR WAIVER  
OF CRITICAL SLOPES PROVISIONS  
PURSUANT TO CITY CODE SECTION 34-1120(B)(6)  
FOR SEMINOLE SQUARE SHOPPING CENTER**

**WHEREAS**, Towers Limited Partnership, owner of property designated on City Tax Map 41C, Parcel 3.1, consisting of approximately 18.81 acres of land, and known as Seminole Square Shopping Center (the "Property"), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in connection with the construction of two (2) segmented retaining walls, totaling 1,180' in length, along the northern portion of the Property (the "Project"); and

**WHEREAS**, the Planning Commission considered this request at their regular meeting on September 12, 2017, and recommended approval of the request, with conditions, to waive the critical slopes requirements, pursuant to City Code Sec. 34-1120(b)(6); and

**WHEREAS**, upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b)(6)(d)(ii) that due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of the Project, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the request by Towers Limited Partnership for a waiver of the critical slopes requirements for the above-described Project on the Property, is hereby granted, conditioned upon the following:

1. The Applicant shall petition City Council to vacate the existing 1985 stormwater easement, in order to transfer the burden of maintenance of the stormwater facility from the City to the owner of the Property.
2. A detailed survey by a licensed professional should be provided following construction of the retaining wall to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
3. The improvements depicted in the Concept Plan Exhibit Series attached to the critical slopes waiver request shall be incorporated in any site plan amendment for future redevelopment of the Property, including the following modifications recommended by staff:
  - a. Elimination of the proposed pedestrian crossing along Hillsdale Drive given its proximity to the signalized intersection;
  - b. Proposed pedestrian areas shall meet ADA standards (including curb ramps, minimum width and cross-slope); and



- c. Proposed bicycle racks shall be located close to the building entrance, visible from the multi-use trail, and the number of bicycle racks shall meet the standards outlined in City Code Sec. 34-881 (in effect on the date of this SUP approval).
4. Construction shall not begin until after the Hillsdale Road extension project is complete.
5. The proposed 8' wide greenbelt trail shall be asphalt, and include a buffer no less than three (3) feet from the parking lot, and the proposed type and height of the fence will be determined by Parks & Recreation staff prior to site plan approval.
6. Proposed 10' wide easement encompassing the 8' wide greenbelt trail shall be for maintenance of the trail itself and not for any improvements placed within the easement by the Property Owner (i.e. the retaining wall), which shall be maintained by the Property owner. A deed of easement from the Property owner to the City, in form approved by the City Attorney, for the greenbelt trail shall be signed prior to site plan approval.
7. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining wall located on the Seminole Square site require adjustment due to the development activities on either the adjoining Pepsi property or the Seminole Square property.

Approved by Council  
October 2, 2017



Clerk of Council

**RESOLUTION APPROVING A REQUEST FOR WAIVER  
OF CRITICAL SLOPES PROVISIONS  
PURSUANT TO CITY CODE SECTION 34-1120(B)(6)  
FOR THE PEPSI BOTTLING PLANT  
AT 1150 PEPSI PLACE**

**WHEREAS**, Pepsi Bottling Company, owner of property designated on City Tax Map 41C, Parcel 3, consisting of approximately 15.3 acres of land, and known as the Pepsi Bottling Plant (the "Property"), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in connection with the construction of a 365' long retaining wall on the Property (the "Project"); and

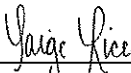
**WHEREAS**, the Planning Commission considered this request at their regular meeting on September 12, 2017, and recommended approval of the request, with conditions, to waive the critical slopes requirements, pursuant to City Code Sec. 34-1120(b)(6); and

**WHEREAS**, upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b)(6)(d)(ii) that due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of the Project, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the request by Pepsi Bottling Company for a waiver of the critical slopes requirements for the above-described Project on the Property, is hereby granted, conditioned upon the following:

1. The Applicant shall petition City Council to vacate the existing 1985 stormwater easement, in order to transfer the burden of maintenance of the stormwater facility from the City to the owner of the Property.
2. A detailed survey by a licensed professional should be provided following construction of the retaining wall to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
3. Construction shall not begin until after the Hillsdale Road extension project is complete.
4. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining wall located on the Pepsi site require adjustment due to the development activities on either the adjoining Seminole Square property or the Pepsi property.

Approved by Council  
October 2, 2017

  
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Clerk of Council

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	January 7, 2019
Action Required:	Ordinance
Presenter:	Brian Daly, Dept. of Parks and Recreation
Staff Contacts:	Chris Gensic, Dept. of Parks and Recreation
<b>Title:</b>	<b>Dominion Energy Underground Easement – Ragged Mountain</b>

**Background:**

The City, as the owner of the Ragged Mountain Reservoir property at 1760 Reservoir Road, has been requested to approve an easement to allow undergrounding of utilities near the Ragged Mountain Dam as part of Dominion’s Strategic Underground Program efforts to protect electrical supply to critical facilities and in difficult-to-maintain locations.

**Discussion:**

Charlottesville Parks and Recreation and RWSA staff have reviewed the proposed easement and survey and have no concerns with providing the easement.

**Alignment with City Council’s Vision and Strategic Plan:**

The project supports City Council’s Green City Vision and Goal 2 of the Strategic Plan for a Healthy and Safe Community.

**Community Engagement:**

A public hearing has been scheduled (as required by law) to give the public an opportunity to comments on the conveyance of an easement by the City.

**Budgetary Impact:**

Approval of the easement will not have any budget impact to the City or RWSA.

**Recommendation:**

Staff recommends approval of the easement to Dominion Energy.

**Alternatives:**

If the easement is not approved, the utility lines will remain overhead and exposed as they currently are.

**Attachments:**

Request for Easement with Deed and Plat; Proposed Ordinance

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF AN EASEMENT  
TO DOMINION ENERGY VIRGINIA TO UNDERGROUND ELECTRICAL  
FACILITIES ON AND ACROSS CITY PROPERTY  
AT RAGGED MOUNTAIN RESERVOIR**

**WHEREAS**, the Virginia Electric and Power Company, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia (“Dominion”), has requested this Council to grant an easement across property owned by the City of Charlottesville within Ragged Mountain Reservoir (Albemarle County Tax Map Parcel No. 075-00-00-0000100), as identified within a Right of Way Agreement (DVP ID No. 13-17-0324) and accompanying Plat submitted by Dominion, for the underground installation and maintenance of electrical facilities; and

**WHEREAS**, on January 7, 2019, this City Council conducted a public hearing on the requested easement, as required by law; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia, that the Mayor is hereby authorized to execute the Dominion Right of Way Agreement, in form approved by the City Attorney, granting the above-described easement to Dominion Energy Virginia for installation of electrical facilities at Ragged Mountain Reservoir property.



# Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between

CITY OF CHARLOTTESVILLE

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("GRANTEE").

### WITNESSETH:

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said non-exclusive easement shall extend fifteen (15) feet in width across the lands of GRANTOR; and

Initials: \_\_\_\_\_

**This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Virginia Power, PO Box 26666, Richmond, VA 23261 .**

(Page 1 of 5 Pages)

VAROW No(s). 13-17-0324

Tax Map No. 07500000000100 & 075000000047B1

Form No. 728493-1 (Feb 2018)  
© 2018 Dominion Energy

## Right of Way Agreement

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in Albemarle County, Virginia, as more fully described on Plat(s) Numbered 13-17-0324 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

Initials: \_\_\_\_\_

(Page 2 of 5 Pages)  
DVPIDNo(s). 13-17-0324

## Right of Way Agreement

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE'S** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE'S** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE'S** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE'S** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE'S** right to assign or transfer its rights, privileges and easements, as granted herein, shall be strictly limited to the assignment or transfer of such rights, privileges and easements to any business which lawfully assumes any or all of **GRANTEE'S** obligations as a public service company or such other obligations as may be related to or incidental to **GRANTEE'S** stated business purpose as a public service company; and any such business to which such rights, privileges and easements may be assigned shall be bound by all of the terms, conditions and restrictions set forth herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_

(Page 3 of 5 Pages)  
DVPIDNo(s). 13-17-0324



11. GRANTOR hereby represents to GRANTEE that, to the best of GRANTOR'S knowledge, (a) GRANTOR is seized of and has the right to convey this easement and the rights and privileges granted hereunder; and (b) GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges.

12. The individual executing this Right of Way Agreement on behalf of GRANTOR warrants that they have been duly authorized to execute this easement on behalf of said GRANTOR.

**NOTICE TO LANDOWNER:** You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying.

IN WITNESS WHEREOF, GRANTOR has caused its name to be signed hereto by its authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM: CITY OF CHARLOTTESVILLE

\_\_\_\_\_  
(Name) By: \_\_\_\_\_

\_\_\_\_\_  
(Title) Title: \_\_\_\_\_

State of \_\_\_\_\_

County/City of \_\_\_\_\_, to wit:

I, \_\_\_\_\_, a Notary Public in and for the State of Virginia at Large, do

hereby certify that this day personally appeared before me in my jurisdiction aforesaid

\_\_\_\_\_, \_\_\_\_\_, on behalf of the  
(Name of officer or agent) (Title of officer or agent)

City of Charlottesville, Virginia, whose name is signed to the foregoing writing dated this \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_, and acknowledged the same before me.

Given under my hand \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public (Print Name)

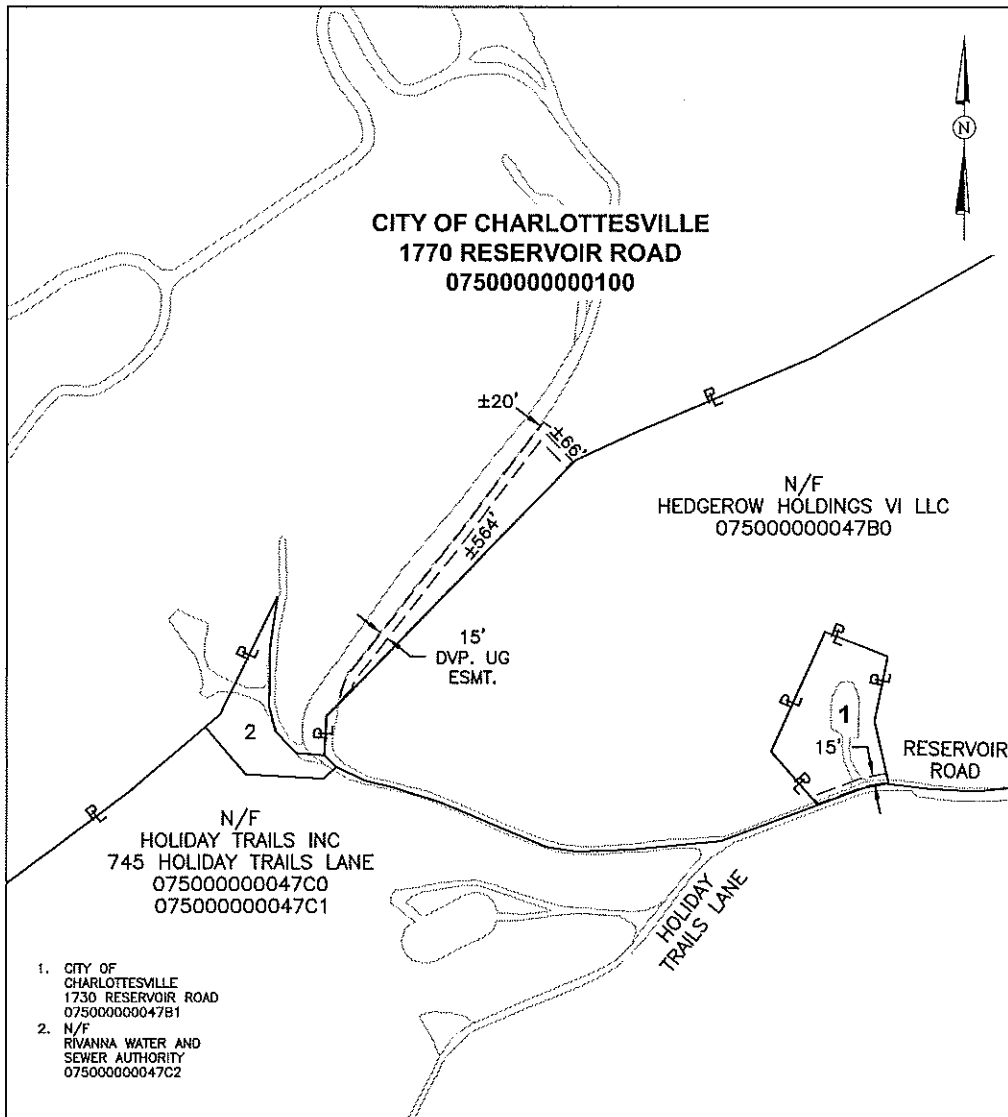
\_\_\_\_\_  
Notary Name (Signature)

Virginia Notary Reg. No. \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

DVPIDNo. 13-17-0324

Page 4 of 5



<b>LEGEND</b> --- Location of Boundary Lines of Right-of-Way 15' in Width. --- Indicates Property Line is Right-of-Way Boundary 15' in Width. N/F Now or Formerly *NOTE: Location of underground cable as installed will determine the centerline of the easement.	District Charlottesville	PLAT TO ACCOMPANY UG RIGHT-OF-WAY AGREEMENT
	District-Township-Borough County-City State Samuel Miller Albemarle Co. VA	VIRGINIA ELECTRIC AND POWER COMPANY doing business as
	Office Plat Number North/West Region 13-17-0324	<b>Dominion Energy Virginia</b>
	Estimate Number Grid Number 10136253 F2225	Page 5 of 5
Date By 05/24/2018 E. Jones	OWNER INITIALS _____	

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



Agenda Date:	January 7, 2019
Action Required:	Public Hearing on a Zoning Text Amendment
Presenter:	Brian Haluska, Principal Planner, Neighborhood Development Services
Staff Contact:	Brian Haluska, Principal Planner, Neighborhood Development Services
<b>Title:</b>	<b><u>Amusement Center Regulations</u></b>

**Background**

**Item Summary**

This is a proposed zoning text amendment to amend the regulations pertaining to amusement centers. Adoption of the change would require amendments to the Provisional Use Permit regulations (§34-1170 et seq.), the Commercial district use matrix (§34-480) and the Mixed-Use (§34-796) district use matrix. The original initiation indicated that the definition section would be reviewed, but staff is not proposing a change to that section of the code.

**Standard of Review**

As stated in Section 34-41 of the City Code, City Council may amend, supplement or change the City's zoning district regulations whenever required by public necessity, convenience, general welfare or good zoning practice.

**Discussion**

**Overview of Staff Analysis**

Staff found the proposed change to be a preferable way to regulate businesses of this type, in light of the fact that the potential impacts of amusement centers have changed substantially over the last thirty years.

Staff recommends that the application be approved.

### **Alignment with City Council’s Vision Areas and Strategic Plan**

The City Council Vision statement on Economic Sustainability states that, “We have a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities. The Downtown Mall, as the economic hub of the region, features arts and entertainment, shopping, dining, cultural events, and a vibrant City Market. ”

The City Council Strategic Plan Goal 4.2 is to “Attract and cultivate a variety of businesses”.

### **Community Engagement**

The Planning Commission held a public hearing on this application at the Planning Commission’s regular meeting on December 11, 2018. Two members of the public spoke at the public hearing, both in support of the proposal. One of the speakers stated their intent to open an amusement center in a building that is currently not zoned to permit such uses.

### **Budgetary Impact**

Staff anticipates no direct impact to the City budget from this proposal.

### **Recommendation**

The Planning Commission discussed this application at their meeting on December 11, 2018.

The Commission generally supported the request, with a recommendation that the Corner District permit amusement centers by provisional use.

The Commission took the following action:

Mr. Stoltzenburg moved to recommend approval of this zoning text amendment to amend to the Provisional Use Permit regulations (§34-1170 et seq.), the Commercial district use matrix (§34-480) and the Mixed-Use (§34-796) district use matrix of the Code of The City of Charlottesville, 1990, as amended, to amend the regulations for Amusement Centers on the basis that the changes would serve the interests of public necessity, convenience, general public welfare and/or good zoning practice with the following modification:

1. Amusement center be permitted by provisional use permit in the Corner District.

Mr. Lahendro seconded the motion. The Commission voted 5-0 in favor of the motion. Mr. Heaton and Mr. Mitchell were absent.

### **Alternatives**

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance (approving the zoning text amendment as recommended by the Planning Commission);
- (2) by motion, request changes to the attached ordinance, and then approve a zoning text amendment in accordance with the amended ordinance;
- (3) by motion, defer action on the ordinance, or
- (4) by motion, deny the proposed zoning text amendment.

### **Attachment**

- (1) Proposed Ordinance Approving a Zoning Text Amendment
- (2) Staff Report

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, TO UPDATE REGULATIONS PERTAINING TO AMUSEMENT CENTERS.**

**WHEREAS**, upon the recommendation of City staff, the Planning Commission initiated a zoning text amendment to consider updating the City’s ordinance to permit a land use referred to as an “amusement center” in various zoning districts (“Proposed Zoning Text Amendment”); and

**WHEREAS**, the Proposed Zoning Text Amendment seeks to (i) prohibit amusement centers within the South Street Mixed Use District, instead of continuing to allow the use with a Special Use Permit; (ii) to continue to allow amusement centers with a Special Use Permit within the Corner Mixed Use Zoning District; and (iii) to allow amusement centers with a provisional use permit in zoning districts where they previously would have been allowed only with a Special Use Permit, and to add amusement centers as a use permitted with a provisional use permit to the Cherry Street and Central City Mixed Use Zoning Districts, where they previously were prohibited.

**WHEREAS**, a public hearing on the Proposed Zoning Text Amendment was held by the Planning Commission on December 11, 2018, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend approval of the Proposed Zoning Text Amendment, modified to allow amusement centers within the Corner Mixed Use Zoning District by provisional use permit; and

**WHEREAS**, a public hearing on the Proposed Zoning Text Amendment was held by the City Council on January 7, 2019, after notice to the public and to adjacent property owners as required by law, and after conclusion of the public hearing, and after consideration of the Planning Commission’s recommendation, and the recommendations given by staff to the Planning Commission, this Council is of the opinion that that the Proposed Zoning Text Amendment has been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, general welfare and good zoning practice require the Proposed Zoning Text Amendment, and (ii) the Proposed Zoning Text Amendment is consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Chapter 34 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and re-enacted as follows:

**Sec. 34-480. Use matrix—Commercial districts.**

Use Matrix – Commercial Districts (Sec. 34-480)					
<i>Use Types....</i>					
<b>NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL</b>	B-2	B-3	M-I	IC	Requirements 34-XXX
Amusement center	<del>s-P</del>	<del>s-P</del>	<del>s-P</del>	<del>s-P</del>	<b>1176</b>

**Sec. 34-796. Use matrix—Mixed use corridor districts.**

Use Matrix – Mixed-Use Districts (Sec. 34-796)													
<i>Use Types....</i>													
<b>NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL</b>	<i>D</i>	<i>DE</i>	<i>DN</i>	<i>WME</i>	<i>WMW</i>	<i>CH</i>	<i>HW</i>	<i>WSD</i>	<i>URB</i>	<i>SS</i>	<i>CD</i>	<i>CC</i>	Requirements 34-XXX
Amusement center	<del>s-P</del>	<del>s-P</del>	<del>s-P</del>	<del>s-P</del>	<del>s-P</del>	<del>P</del>	<del>B-P</del>	<del>s-P</del>	<del>s-P</del>	<del>S</del>	<del>s-P</del>	<del>P</del>	<b>1176</b>

**Sec. 34-1176. Amusement centers.**

For amusement centers the following requirements shall apply:

- (1) Any amusement center that remains open after 2:00 a.m. on any day shall have a security guard on site between the hours of 2:00 a.m. and 6:00 a.m. or until one-half hour after the amusement center closes, whichever is earlier.
- (2) In the event more than four (4) incidents at the property require police service/response over any two (2) month period, the provisional use permit shall be suspended by the zoning administrator, for three hundred sixty-five (365) days. Following any such suspension, any other uses on the site may continue to operate, but only in the form that is permitted within the applicable zoning district without the requirement of a provisional use permit.00



**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: December 11, 2018**

**Author of Staff Report:** Brian Haluska, Principal Planner

**Date of Staff Report:** November 26, 2018

**Proposed Change To Ordinance:** Amusement Center Regulations

**Applicable City Code Provisions:** §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts), §34-1200 Definitions, and Chapter 34, Article IX, Division 9 – Standards for Provisional Uses

**Executive Summary**

This is a proposed zoning text amendment to amend the regulations pertaining to amusement centers. Adoption of the change would require amendments to the Provisional Use Permit regulations (§34-1170 et seq.), the Commercial district use matrix (§34-480) and the Mixed-Use (§34-796) district use matrix. The original initiation indicated that the definition section would be reviewed, but staff is not proposing a change to that section of the code.

Staff recommends that the use be permitted with a Provisional Use Permit in the following zoning districts:

- B-2 Commercial zone
- B-3 Commercial zone
- M-I Manufacturing-Industrial zone
- IC Industrial Corridor zone
- Downtown Corridor
- Downtown Extended Corridor
- Downtown North Corridor
- West Main East Corridor
- West Main West Corridor
- Cherry Avenue Corridor
- Highway Corridor
- Water Street Corridor
- Urban Corridor
- Central City Corridor

Staff recommends that the use be permitted with a Special Use Permit in the following zoning districts:

- Corner District

Staff recommends that the use no longer be permitted in the following zoning districts:

- South Street Corridor

### **Background**

At the Planning Commission’s November 13, 2018 meeting, a study period was initiated at the request of Staff. Staff has been approached by a party that is looking to open a billiards hall in the City on a major road that seemed to be an appropriate location for such a use, but the code did not permit amusement centers in the zone. While considering the proposed change, staff noted two other businesses in operation that meet the definition of an amusement center in the code, but may not have received the appropriate approvals at their current locations.

### **Study Period and Public Hearing**

Once an amendment has been initiated by City Council, it is deemed referred to the Planning Commission for study and recommendation (City Code §34-41(d)). From the time of initiation, the planning commission has **100 days** in which to make its recommendation to City Council, or else it will be deemed to be a recommendation of approval. **If the Planning Commission initiates the request, the 100 day recommendation requirement does not apply.** Staff will provide the Planning Commission with reports and analyses as appropriate and a joint public hearing will be scheduled for the next available date.

### **Standard of Review**

As per §34-42 of the City Code, if initiated, the planning commission shall review and study each proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and
- (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

### **Proposed Zoning Text Change**

Revise the Commercial (§34-480) matrix as follows:

- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the B-2 zoning district column.

- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the B-3 zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the M-I zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the IC zoning district column.
- Add “1176” to the row labeled “Amusement Center” under the “Requirements 34-XXXX” column

Revise the Mixed Use (§34-796) matrix as follows:

- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the D zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the DE zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the DN zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the WME zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the WMW zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the WSD zoning district column.
- Strike the “S” and place a “P” in the row labeled “Amusement Center”, under the URB zoning district column.
- Strike the “B” and place a “P” in the row labeled “Amusement Center”, under the HW zoning district column.
- Place a “P” in the row labeled “Amusement Center”, under the CH zoning district column.
- Place a “P” in the row labeled “Amusement Center”, under the CC zoning district column.
- Strike the “S” in the row labeled “Amusement Center”, under the SS zoning district column.
- Add “1176” to the row labeled “Amusement Center” under the “Requirements 34-XXXX” column

Amend §34-1170 et seq. as necessary, adding §34-1176 Amusement Centers

### **Standard of Review Analysis**

**1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;**

The 2013 Comprehensive Plan Land Use goals encourage the establishment of nodes of activity that enable small group interaction.

**2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;**

The purposes of the chapter would be furthered by the amendment by encouraging economic development activities by permitting these types of uses to more easily locate within the City.

**3. Whether there is a need and justification for the change;**

There are currently activities of this nature taking place within the City. They have been operating with no impacts to the surrounding properties being generated by the games regulated under the amusement center definition. The justification for the change is to go through a less stringent review that is commiserate with the level of impact they have on adjacent properties.

**4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities.**

This zoning text amendment does not include a change in the zoning district classification of any particular property.

**Public Comment**

No public comment has been received at this time.

**Recommendation**

In reviewing the regulation of amusement centers in the City, staff identified three types of uses that all fit in the current definition of an amusement center.

The first is a commercial establishment – typically a restaurant – where the amusement center use is ancillary.

The second is a use type that is typically referred to as an arcade – a business where almost the entire area is occupied by games. These types of uses were tightly regulated in the 1980’s and 90’s when they were social gathering locations for younger residents in communities. These types of uses have mostly disappeared in the wake of the boom in video gaming consoles.

The third type of use is a business that combines a restaurant with an arcade and emphasize the social aspect of the games therein. Several national chains exist that follow this model. Here, staff has some concerns about the nature of these uses because they can potentially be parking intensive due to their large size, but this is a function of the size of the business, not its reliance on electronic games as a driver of attendance.

In each of the examples above, the presence of games does nothing to increase the impact of the use. The businesses need to be well-managed regardless of whether the games are present or not. To that end, staff recommends that amusement centers be permitted via a provisional use permit throughout most of the commercial and mixed-use zones. The provisional use permit would contain the same conditions that apply to a music hall – in that four or more calls for police service

at an amusement center would give the zoning administrator grounds to force the removal of the games.

The two zones where staff suggests a different approach are the Corner District and South Street District. In the Corner District, staff has concerns about permitting amusement centers by provisional use permit without some consideration of parking impact. Staff also has difficulty finding any reason why an amusement center would be an acceptable use in the South Street corridor given the nature of the district, and proposes that it be removed as a permitted use in that zone.

Staff recommends that the zoning text amendment be recommended for approval by the Planning Commission and City Council as written to amend the regulations for Amusement Centers in the Mixed Use and Commercial Zoning Districts.

### **Suggested Motions**

1. “I move to recommend approval of this zoning text amendment to the Provisional Use Permit regulations (§34-1170 et seq.), the Commercial district use matrix (§34-480) and the Mixed-Use (§34-796) district use matrix of the Code of The City of Charlottesville, 1990, as amended, to amend the regulations for Amusement Centers on the basis that the changes would serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*).”
2. I move to recommend approval of this zoning text amendment to amend to the Provisional Use Permit regulations (§34-1170 et seq.), the Commercial district use matrix (§34-480) and the Mixed-Use (§34-796) district use matrix of the Code of The City of Charlottesville, 1990, as amended, to amend the regulations for Amusement Centers on the basis that the changes would serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*) with the following additions and modifications:
  - a.
  - b.
3. “I move to recommend denial of this zoning text amendment to the Provisional Use Permit regulations (§34-1170 et seq.), the Commercial district use matrix (§34-480) and the Mixed-Use (§34-796) district use matrix of the Code of The City of Charlottesville, 1990, as amended, to amend the regulations for Amusement Centers on the basis that the changes would not serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*) for the following reasons: ....”
  - a.
  - b.

## **Appendices**

1. Current Sections of the Code proposed to be modified
2. Mark up of the code sections showing changes
3. Proposed code sections as they would be after the changes proposed in this report.

**Sec. 34-480. - Use matrix—Commercial districts.**

<b>Use Types</b>	<b>Zoning Districts</b>						
	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>M-I</b>	<b>ES</b>	<b>IC</b>	<b>Requirements 34-XXXX</b>
<b>Amusement Center</b>		<b>S</b>	<b>S</b>	<b>S</b>		<b>S</b>	

**Sec. 34-796. - Use matrix—Mixed use corridor districts.**

<b>Use Types</b>															
	<b>D</b>	<b>DE</b>	<b>DN</b>	<b>WME</b>	<b>WMW</b>	<b>CH</b>	<b>HS</b>	<b>NCC</b>	<b>HW</b>	<b>WSD</b>	<b>URB</b>	<b>SS</b>	<b>CD</b>	<b>CC</b>	<b>Requirements 34-XXXX</b>
<b>Amusement Center</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>				<b>B</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>		

**Sec. 34-480. - Use matrix—Commercial districts.**

Use Types	Zoning Districts						Requirements 34-XXXX
	B-1	B-2	B-3	M-I	ES	IC	
Amusement Center		S P	S P	S P		S P	1176

**Sec. 34-796. - Use matrix—Mixed use corridor districts.**

Use Types															Requirements 34-XXXX
	D	DE	DN	WME	WMW	CH	HS	NCC	HW	WSD	URB	SS	CD	CC	
Amusement Center	S P	S P	S P	S P	S P	P			B P	S P	S P	S	S	P	1176

**Sec. 34-1176. – Amusement Centers. (New Code Section)**

For amusement centers the following requirements shall apply:

(1) Any amusement center that remains open after 2:00 a.m. on any day shall have a security guard on site between the hours of 2:00 a.m. and 6:00 a.m. or until one-half hour after the amusement center closes, whichever is earlier.

(2) In the event more than four (4) incidents at the property require police service/response over any two (2) month period, the provisional use permit shall be suspended by the zoning administrator, for three hundred sixty-five (365) days. Following any such suspension, any other uses on the site may continue to operate, but only in the form that is permitted within the applicable zoning district without the requirement of a provisional use permit.



**Sec. 34-480. - Use matrix—Commercial districts.**

Use Types	Zoning Districts						Requirements 34-XXXX
	B-1	B-2	B-3	M-I	ES	IC	
Amusement Center		P	P	P		P	1176

**Sec. 34-796. - Use matrix—Mixed use corridor districts.**

Use Types															Requirements 34-XXXX
	D	DE	DN	WME	WMW	CH	HS	NCC	HW	WSD	URB	SS	CD	CC	
Amusement Center	P	P	P	P	P	P			P	P	P		S	P	1176

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



Agenda Date:	January 7, 2019
Action Required:	Public Hearing on a Zoning Text Amendment
Presenter:	Brian Haluska, Principal Planner, Neighborhood Development Services
Staff Contact:	Brian Haluska, Principal Planner, Neighborhood Development Services
Title:	<b><u>Mixed Use District Primary and Linking Street Designations</u></b>

**Background**

**Item Summary**

This is a proposed zoning text amendment to amend the regulations pertaining to the description of the mixed-use districts in the City of Charlottesville. Adoption of the change would require amendments to the Mixed-Use District Descriptions in §34-541.

**Standard of Review**

As stated in Section 34-41 of the City Code, City Council may amend, supplement or change the City's zoning district regulations whenever required by public necessity, convenience, general welfare or good zoning practice.

**Discussion**

**Overview of Staff Analysis**

Staff's primary concern with these changes was standardizing the names of the number streets and adding any streets that were left out of the listings in 34-541. The lone discretionary decision was placing the previously omitted streets in either the primary or linking classifications. In some cases, the omitted streets were simply roads where the name changed along the same right-of-way. In these cases, the omitted street name was assigned to the same list of the street name that shared the right-of-way. In most other cases, the streets found to be omitted were lower functional classification streets where staff defaulted to linking street listing. The exception to

this was Hillsdale Drive, which was built in the Highway Corridor following the adoption of the lists. Staff felt Hillsdale rose to the level of a primary street, and proposes designating it as such.

Staff recommends that the application be approved.

### **Alignment with City Council’s Vision Areas and Strategic Plan**

The City Council Vision statement on Economic Sustainability states that, “We have a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities. The Downtown Mall, as the economic hub of the region, features arts and entertainment, shopping, dining, cultural events, and a vibrant City Market. ”

The City Council Strategic Plan Goal 4.2 is to “Attract and cultivate a variety of businesses”.

### **Community Engagement**

The Planning Commission held a public hearing on this application at the Planning Commission’s regular meeting on December 11, 2018. Two members of the public spoke at the public hearing. One member of the public requested the Commission defer action on the item until the development community had adequate time to review the proposal, while the other member of public urged the Commission to approve the proposal.

### **Budgetary Impact**

Staff anticipates no direct impact to the City budget from this proposal.

### **Recommendation**

The Planning Commission discussed this application at their meeting on December 11, 2018 and supported the request.

The Commission took the following action:

“Mr. Lahendro moved to recommend approval of this zoning text amendment to the intent and description of the mixed use districts (§34-541 et seq.), of the Code of The City of Charlottesville, 1990, as amended, on the basis that the changes would serve the interests of public necessity, convenience, general public welfare and good zoning practice.”

Ms. Dowell seconded the motion. The Commission voted 5-0 in favor of the motion. Mr. Heaton and Mr. Mitchell were absent.

### **Alternatives**

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance (approving the zoning text amendment as recommended by the Planning Commission);
- (2) by motion, request changes to the attached ordinance, and then approve a zoning text amendment in accordance with the amended ordinance;
- (3) by motion, defer action on the ordinance, or
- (4) by motion, deny the proposed zoning text amendment.

### **Attachment**

- (1) Proposed Ordinance Approving a Zoning Text Amendment
- (2) Staff Report

**AN ORDINANCE  
AMENDING AND REORDAINING SEC. 34-541 OF ARTICLE VI  
OF CHAPTER 34 (ZONING) OF THE CODE OF THE  
CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, REGARDING  
PRIMARY AND LINKING STREET DESIGNATIONS IN MIXED USE DISTRICTS**

**WHEREAS**, upon the recommendation of City staff, the Planning Commission initiated a zoning text amendment to consider updating the City’s zoning ordinance to designate certain streets as “primary streets” or as “linking streets” in various mixed use zoning districts (“Proposed Zoning Text Amendment”); and

**WHEREAS**, a public hearing on the Proposed Zoning Text Amendment was held by the Planning Commission on December 11, 2018, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend approval of the Proposed Zoning Text Amendment; and

**WHEREAS**, a public hearing on the Proposed Zoning Text Amendment was held by the City Council on January 7, 2019, after notice to the public and to adjacent property owners as required by law, and after conclusion of the public hearing, and upon consideration of the Planning Commission’s recommendation, as well as consideration of the recommendations given by staff to the Planning Commission, this Council is of the opinion that that the Proposed Zoning Text Amendment has been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, general welfare and good zoning practice require the Proposed Zoning Text Amendment, and (ii) the Proposed Zoning Text Amendment is consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 34-541 of Article VI of Chapter 34 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**CHAPTER 34. ZONING  
ARTICLE VI. MIXED USE CORRIDOR DISTRICTS**

**Sec. 34-541. Mixed use districts—Intent and description.**

(1) *Downtown Corridor*. . . .

(2) *Downtown Extended Corridor*. Historically, the areas within the Downtown Extended district contained manufacturing uses dependent upon convenient access to railroad transportation. In more recent times, use patterns within this area are similar to those within the Downtown district. The intent of this district is to encourage an inter-related mixture of high-density residential and commercial uses harmonious with the downtown business environment, within developments that facilitate convenient pedestrian and other links to the Downtown area.

Within the Downtown Extended district, the following streets shall have the designations indicated:

*Primary streets:* Garrett Street, Monticello Avenue, 6th Street, East Market Street, Carlton Road, ~~and 10th Street NE, N.E.~~, Elliott Avenue, Levy Avenue, and East Water Street.

*Linking streets:* Avon Street, City Walk Way, Dice Street, 1st Street S, 4th Street SE, Gleason Street, Goodman Street, Graves Street, Lyman Street, Oak Street, East South Street, and Ware Street.

(3) *North-Downtown North Corridor.* The Downtown North Corridor district is the historic center of the City of Charlottesville, and contains many historic structures. In more recent years this area has also developed as the heart of the city's legal community, including court buildings and related law and professional offices, and commercial and retail uses supporting those services. Within this area, residential uses have been established both in single-use and in mixed-use structures. Many former single-family dwellings have been converted to office use. The regulations for this district are intended to continue and protect the nature and scale of these existing patterns of development. Within the Downtown North Corridor district, the following streets shall have the designations indicated:

*Primary streets:* 10<sup>th</sup> Street NE, 8th Street NE, N.E. (between High Street and Jefferson Street), 5th Street NE, N.E., 1st Street N, 4th Street NE, N.E., East High Street, West High Street, Jefferson Street, East Market Street, West Market Street, 9th Street NE, 9½<sup>th</sup> Street N.E., 2nd Street, N.E., 2nd Street, N.W., 7th Street, N.E., 6th Street, N.E., and 3rd Street, N.E.

*Linking streets:* Altamont Circle, East Jefferson Street (east of 10th Street, N.E.), 8th Street NE, 11th Street, N.E., Court Square, Lexington Avenue Street, Locust Avenue Street, Maple Street, Park Street, and Sycamore Street.

(4) *West Main West Corridor.* . . .

(5) *West Main East Corridor.* . . .

(6) *Cherry Avenue Corridor.* This zoning classification establishes a district designed to encourage conservation of land resources, minimize automobile travel, and promote employment and retail centers in proximity to residential uses. It permits increased development on busier streets without fostering a strip-commercial appearance. It is anticipated that development will occur in a pattern consisting of ground-floor commercial uses, with offices and residential uses located on upper floors. This district is intended to promote pedestrian-oriented development, with buildings located close to and oriented towards the sidewalk areas along primary street frontages. Within the Cherry Avenue Corridor district the following streets shall have the designations indicated:

*Primary streets:* Cherry Avenue, Roosevelt Brown Boulevard ~~9th/10th Connector~~.

Linking streets: 4th St., 5th St., Delevan St., Estes St., Grove St., King St., Nalle St., 9th St., 6th St., 6½ St., 7th St. 4<sup>th</sup> Street SW, 5<sup>th</sup> Street SW, Delevan Street, Estes Street, Grove Street, King Street, Nalle Street, 9<sup>th</sup> Street SW, 6<sup>th</sup> Street SW, 6½ Street SW, and 7<sup>th</sup> Street SW.

(7) *High Street Corridor.* The areas included within this district represent a section of High Street that has historically developed around medical offices and support services, as well as neighborhood oriented service businesses such as auto repair shops and restaurants. The regulations within this district encourage a continuation of the scale and existing character of uses established within this district, and are intended to facilitate infill development of similar uses. Within the High Street corridor district the following streets shall have the designations indicated:

*Primary streets:* 10<sup>th</sup> Street NE, East High Street and Meade Avenue.

*Linking streets:* 11th Street NE, 13<sup>th</sup> Street NE, Duke Street, Gillespie Avenue, Grace Street, Grove Avenue, Hazel Street, Little High Street, Moore's Street, Orange Street, Riverdale Drive, Stewart Street, Sycamore Street, Ward Avenue, and Willow DriveStreet.

(8) *Neighborhood Commercial Corridor district.* The intent of the Neighborhood Commercial Corridor district is to establish a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods. Within this district the following streets shall have the designations indicated:

*Primary streets:* Bainbridge Street, Carlton Avenue, Douglas Avenue, Fontaine Avenue, Garden Street, Goodman Street, Hinton Avenue, Holly Street, Jefferson Park Avenue, Lewis Street, Maury Avenue, Meridian Street, Monticello Road, Price Avenue and Walnut Street. Bainbridge St., Carlton Ave., Douglas Ave., Fontaine Ave., Garden St., Goodman St., Hinton Ave., Holly St., Lewis St., Maury Ave., Monticello Rd., and Walnut St.

*Linking streets:* None.

(9) *Highway Corridor district.* The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs. Within this district the following streets shall have the designations indicated:

*Primary streets:* Bent Creek Road, Carlton Road~~Rd.~~, Emmet Street, 5th Street SW, Harris Road, Hillsdale Drive, Hydraulic Road, Monticello Avenue~~e.~~, and Seminole Trail.



*Linking streets:* 250 Bypass, Angus Road, Druid Avenue, ~~East View~~ Eastview Street, Holiday Drive, India Road, Keystone Place, Knoll Street, Linden Avenue, Line Drive, Michie Drive, Monticello Road, Mountain View Street, Nassau Street, Quarry Road, Rives Street, Seminole Circle, and Zan Road.

(10) *Urban Corridor*. The intent of the Urban Corridor district is to continue the close-in urban commercial activity that has been the traditional development patterns in these areas. Development in this district is both pedestrian and auto oriented, but is evolving to more of a pedestrian center development pattern. The regulations provide for both a mixture of uses or single use commercial activities. It encourages parking located behind the structure and development of a scale and character that is respectful to the neighborhoods and university uses adjacent. Within this district the following streets shall have the designations indicated:

*Primary streets:* Barracks Road, Emmet Street, University Avenue, and Ivy Road.

*Linking streets:* 250 Bypass, Arlington Boulevard, Cedars Court, Copeley Drive, Copeley Road, Earhart Street, Massie Road, Meadowbrook Road, Millmont Street, ~~and~~ Morton Drive, Old Ivy Road, and Wise Street.

(11) *Central City Corridor*. The intent of the Central City Corridor district is to facilitate the continued development and redevelopment of the quality medium scale commercial and mixed use projects currently found in those areas. The district allows single use development, but encourages mixed use projects. The regulations are designed to encourage use of and emphasize proximity to natural features or important view sheds of natural features. Development allowed is of a scale and character that is appropriate given the established development that surrounds the district. Within the Central Corridor district the following streets shall have the designations indicated:

*Primary streets:* East High Street, Grady Avenue, Harris Street, Long Street, Preston Avenue, Rose Hill Drive, 10th Street NW, Preston Avenue, and River Road.

*Linking streets:* Albemarle Street, Booker Street, Caroline Avenue, Dale Avenue, Duke Street, 8th Street NW, Forest Street, 9th Street NW, Landonia Circle, and West Street.

(12) *Water Street Corridor District*. . . .

(13) *South Street Corridor District*. . . .

(14) *Corner District*. The Corner District is established to provide low-intensity missed-use development to primarily serve the area surrounding the University of Virginia. It encourages development at a scale that respects the established character of the historic commercial area adjacent to the central grounds of the University. Within the district two- and three-story buildings front the streets establishing a pedestrian scale for retail and commercial uses.

*Primary streets:* Jefferson Park Avenue, University Avenue, West Main Street, Wertland Street, Elliewood Avenue, 13th Street NW, and 14th Street NW.

*Linking streets:* Chancellor Street, Minor Court Lane, 12th Street NW, 12½ Street NW, and 13th Street NW.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: December 11, 2018**

**Author of Staff Report:** Brian Haluska, Principal Planner

**Date of Staff Report:** November 28, 2018

**Proposed Change To Ordinance:** Mixed-Use District Descriptions

**Applicable City Code Provisions:** §34-541. – Mixed use districts – Intent and description.

**Executive Summary**

This is a proposed zoning text amendment to amend the regulations pertaining to the description of the mixed-use districts in the City of Charlottesville. Adoption of the change would require amendments to the Mixed-Use District Descriptions in §34-541.

Staff recommends that the following changes be approved.

**Background**

At the Planning Commission's November 13, 2018 meeting, a study period was initiated at the request of Staff. Staff had recently encountered a question of the designation of 10<sup>th</sup> Street NE in the Downtown North Zone, which is not identified as a primary or linking street despite the fact that DN zoned property fronts on 10<sup>th</sup> Street NE. Staff has previously identified a number of other errors and omissions in this section of the code when listing the primary and linking streets in each of the mixed-use districts. These errors cause confusion among the applicant and staff when attempting to apply the setback requirements tied to road frontages.

Additionally, staff proposes standardizing the nomenclature of streets across all districts to minimize confusion.

**Study Period and Public Hearing**

Once an amendment has been initiated by City Council, it is deemed referred to the Planning Commission for study and recommendation (City Code §34-41(d)). From the time of initiation, the planning commission has **100 days** in which to make its recommendation to City Council, or else it will be deemed to be a recommendation of approval. **If the Planning Commission initiates the request, the 100 day recommendation requirement does not apply.** Staff will provide the Planning Commission with reports and analyses as appropriate and a joint public hearing will be scheduled for the next available date.

## **Standard of Review**

As per §34-42 of the City Code, if initiated, the planning commission shall review and study each proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and
- (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

## **Proposed Zoning Text Change**

Revise the Mixed Use District Intent and Definitions (§34-541) as follows:

### **(2) Downtown Extended**

- Edit Market Street to reflect the correct name of East Market Street
- Edit 1<sup>st</sup> Street and 4<sup>th</sup> Street to clarify location
- Add Elliott Avenue, Levy Avenue and East Water Street to the list of primary streets.
- Add East South Street, Graves Street, Lyman Street, and City Walk Way to the list of linking streets.

### **(3) Downtown North**

- Edit the name of the zone to reflect the correct name of the Downtown North zone
- Edit 8<sup>th</sup> Street, N.E.; 5<sup>th</sup> Street, N.E.; 1<sup>st</sup> Street; 4<sup>th</sup> Street, N.E.; 9<sup>th</sup> Street, N.E.; 2<sup>nd</sup> Street, N.E.; 2nd Street, N.W.; 7th Street, N.E.; 6th Street, N.E.; 3rd Street, N.E.; 8<sup>th</sup> Street, and 11st Street, N.E. to standardize nomenclature and clarify location.
- Strike one of the two references to 9<sup>th</sup> Street NE in the list of primary streets.
- Edit Locust Street to reflect the correct name of Locust Avenue
- Edit Lexington Street to reflect the correct name of Lexington Avenue
- Edit Market Street to reflect both East Market Street and West Market Street are included.
- Edit High Street to reflect both East High Street and West High Street are included.
- Add 10<sup>th</sup> Street NE and 9 ½ Street NE to the list of primary streets
- Add Park Street, Court Square and Altamont Circle to the list of linking streets.

### **(6) Cherry Avenue Corridor**

- Edit 4th St., 5th St., Delevan St., Estes St., Grove St., King St., Nalle St., 9th St., 6th St., 6½ St., and 7th St to clarify location and standardize nomenclature.
- Edit 9<sup>th</sup>/10<sup>th</sup> Connector to reflect the correct name of Roosevelt Brown Boulevard.
- Add Dice Street and Elm Street to the list of linking streets.

(7) High Street Corridor

- Edit 11<sup>th</sup> Street to clarify location
- Edit Willow Street to reflect the correct name of Willow Drive.
- Add 10<sup>th</sup> Street NE to the list of primary streets
- Add 13<sup>th</sup> Street NE, Duke Street, Little High Street to the list of linking streets.

(8) Neighborhood Commercial Corridor

- Edit Bainbridge St., Carlton Ave., Douglas Ave., Fontaine Ave., Garden St., Goodman St., Hinton Ave., Holly St., Lewis St., Maury Ave., Monticello Rd., and Walnut St. to standardize nomenclature.
- Add Meridian Street, Jefferson Park Avenue and Price Avenue to the list of primary streets.

(9) Highway Corridor

- Edit 5<sup>th</sup> Street to clarify location
- Edit East View Street to reflect accurate name of Eastview Street
- Edit Monticello Ave and Carlton Rd to standardize nomenclature
- Add Hillsdale Drive to the list of primary streets.
- Add 250 Bypass, Monticello Road, Rives Street, Nassau Street, Quarry Road and Druid Avenue to the list of linking streets.

(10) Urban Corridor

- Add University Avenue to list of primary streets.
- Add Old Ivy Road, Wise Street and 250 Bypass to list of linking streets.

(11) Central City Corridor

- Edit 8<sup>th</sup> Street, 9<sup>th</sup> Street and 10<sup>th</sup> Street to clarify location.
- Add Grady Avenue to the list of primary streets.
- Add Landonia Circle and Duke Street to the list of linking streets.

(14) Corner District

- Edit 12<sup>th</sup> Street, 12 ½ Street, 13<sup>th</sup> Street and 14<sup>th</sup> Street to clarify location.
- Remove 13<sup>th</sup> Street from the list of primary streets.
- Add Jefferson Park Avenue to the list of primary streets.
- Add Minor Court Lane to the list of linking streets.

## **Standard of Review Analysis**

**1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;**

The 2013 Comprehensive Plan Land Use community vision includes a goal of a “Smart, Citizen-Focused Government”.

**2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;**

The purposes of the chapter would be furthered by the amendment by clarifying existing regulations.

**3. Whether there is a need and justification for the change;**

The change would clarify the regulations pertaining to the mixed-use districts in the City, and would reduce the confusion created by errors and omissions within this section of the Code.

**4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities.**

This zoning text amendment does not include a change in the zoning district classification of any particular property.

## **Public Comment**

No public comment has been received at this time.

## **Recommendation**

Staff recommends that the zoning text amendment be recommended for approval by the Planning Commission and City Council as written to amend the regulations for Mixed Use Districts.

## **Suggested Motions**

1. “I move to recommend approval of this zoning text amendment to the intent and description of the mixed use districts (§34-541 et seq.), of the Code of The City of Charlottesville, 1990, as amended, on the basis that the changes would serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*).”
2. I move to recommend approval of this zoning text amendment to the Intent and description of the mixed use districts (§34-541 et seq.), of the Code of The City of Charlottesville, 1990, as amended, on the basis that the changes would serve the

interests of (*public necessity, convenience, general public welfare and/or good zoning practice*) with the following additions and modifications:”

a.

b.

3. “I move to recommend denial of this zoning text amendment to the Intent and description of the mixed use districts (§34-541 et seq.), of the Code of The City of Charlottesville, 1990, as amended, on the basis that the changes would not serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*) for the following reasons: ....”

a.

b.

### **Appendices**

1. Current Sections of the Code proposed to be modified
2. Mark up of the code sections showing changes
3. Proposed code sections as they would be after the changes proposed in this report.

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



Agenda Date:	January 7, 2019
Action Required:	Consideration of a Zoning Text Amendment
Presenter:	Missy Creasy, Assistant Director, NDS
Staff Contacts:	Craig A. Fabio, Asst. Zoning Administrator, NDS
Title:	<b><u>ZT18-12-07 – Dwelling Unit Clarification</u></b>

**Background:**

At the Planning Commission's December 11, 2018 meeting, a Zoning Text Amendment was initiated and reviewed, regarding Dwelling Units. The proposed changes have been brought forward in response to the most recent Board of Zoning Appeals (BZA) meeting, where a determination was made that the City of Charlottesville Zoning Ordinance does not clearly define certain uses as Dwelling Units. Specifically, it was determined that under current regulations a Fraternity is not clearly defined as a Dwelling Unit, overturning a decision made by the Zoning Administrator. This determination could be applicable to Boarding Houses and other similar uses as well. Aside from height and setback requirements, the allowable number of Dwelling Units per Acre (DUA) is the primary factor when determining the maximum allowable use for properties in many districts throughout the City of Charlottesville. The existing DUA allowances were established to limit the impacts of development on neighborhoods, in line with the City of Charlottesville Comprehensive Plan. Boarding House uses generally have occupancy allowances higher than the standard four (4) occupants per Dwelling Unit, and thus arguably an already greater impact on neighborhoods. This determination would allow a property to be developed with the total allowable DUA in addition to a Boarding House. For example, a property with an allowable DUA of twenty (20) could be permitted to construct twenty (20) four occupant Dwelling Units as well as a Boarding House, which would not factor into the DUA and could house dozens of additional occupants. Staff finds this determination to be contradictory to the goals of the Comprehensive Plan and has submitted a Zoning Text Amendment to clarify the allowances in the City of Charlottesville Zoning Ordinance.

## **Proposed Zoning Text Change**

Revise §34-6. **Interpretation of district boundaries: rules of construction.** as follows:

- Add new subparagraph (j) specifying uses that are to be counted as one Dwelling Unit.

Revise §34-1200. **Definitions.** as follows:

- Amend the definition of Dwelling Unit, removing the exclusive use clause.

## **Discussion:**

### **Overview of Staff Analysis**

Staff recommended approval of the proposed zoning text amendment to remove any ambiguity when determining if a use is to be considered a Dwelling Unit as well as clarification of the Definitions section.

- Staff indicated the need for the change to the Zoning Ordinance. The City of Charlottesville Board of Zoning Appeals determination exposed a loophole in the existing regulations. The determination is contrary to common interpretation of Dwelling Units as well as public interest.
- Staff has researched many other jurisdictions and crafted Code language that removes ambiguity. The proposed language provides a clear understanding that is in line with previous Planning and Zoning interpretations.
- The 2013 Comprehensive Plan looks to promote infill development, and increase commercial vitality and density in appropriate areas. The current Dwelling Units Per Acre (DUA) allowances have been established with this in mind, limiting properties to what has been deemed appropriate. The determination that a Fraternity is not a Dwelling Unit provides an opportunity to house numbers well above the established allowable DUA for a property.
- Staff believes the proposed regulations are in line with the goals of the 2013 Comprehensive Plan.

### **Planning Commission**

Among the matters discussed by the Planning Commission at their December 11, 2018 meeting were the following:

- Whether this was a necessary text change to the Zoning Ordinance at this time, rather than part of a larger review of the entire document.
- The need for affordable units, such as Boarding Houses, and whether the proposed changes could impact development negatively.

- The Comprehensive Plan’s desire for development and density.
- The Commission also discussed the existing uses that could be regulated by this change.

**Alignment with City Council’s Vision Areas and Strategic Plan:**

The proposed zoning text amendment aligns with the City Council Vision of **Quality Housing Opportunities for All**, as it will provide clarity when determining density, which is necessary to meet the City’s goals for varied housing types that remain affordable and attainable.

The proposed changes align with **Strategic Plan, Goal 3.1**, as clarification of the language is necessary for *sensitive urban planning*. The ability to include housing for large numbers of occupants in a development without counting against density allowances is contrary to the purpose of the Dwelling Units Per Acre allowances.

**Community Engagement:**

Public comment was limited to two statements, the first questioning the speed with which the proposed changes were brought forth, and the second stating no concern for the timing or content of the proposed text amendments.

**Budgetary Impact:**

No budgetary impact.

**Recommendation:**

The Commission took the following action:

**Commissioner Solla-Yates** moves to recommend approval of this zoning text amendment to amend and re- ordain §34-6 et seq. and portions of §34-1200 (Amendments to the Zoning Ordinance) on the basis that the changes would serve the interests of public necessity, general public welfare and/or good zoning practice, and strike “for the exclusive use of such occupants” from section 34-1200. Seconded by **Commissioner Lahendro**. *Motion is Approved 5-0.*

**Chairman Green:** Staff will bring the remaining items to a work session at its earliest convenience to discuss and gain further clarification on item 34-1200. *Motion is approved 5-0.*

**Alternatives:**

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance (granting the ZTA);

- (2) by motion, request changes to the attached Resolution, and then approve the ZTA in accordance with the amended Resolution;
- (3) by motion, deny the requested ZTA (as recommended by the Planning Commission).

**Attachment:**

- (1) Proposed Ordinance Approving a Zoning Text Amendment
- (2) Planning Commission Staff Report with Attachments, December 11, 2018  
(<http://www.charlottesville.org/home/showdocument?id=63739> Page 136)

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, TO UPDATE REGULATIONS DEFINING A “DWELLING UNIT” AND CLARIFYING HOW CERTAIN DWELLINGS ARE COUNTED FOR PURPOSES OF RESIDENTIAL DENSITY CALCULATION.**

**WHEREAS**, upon the recommendation of City staff, the Planning Commission initiated a zoning text amendment proposing an amendment to the City’s zoning ordinance, to (i) clarify the definition of “dwelling unit”; (ii) to clarify how certain types of dwellings will be counted for purposes of calculating residential density, and (iii) to make housekeeping changes to definitions of various types of dwellings, in order to omit unnecessary wording and clarify the difference between boarding houses and multifamily dwellings (“Proposed Zoning Text Amendment”); and

**WHEREAS**, a public hearing on the Proposed Zoning Text Amendment was held by the Planning Commission on December 11, 2018, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend approval of the Proposed Zoning Text Amendment, only in part: (i) amendment of §34-6 of the City’s Zoning Ordinance, to clarify how certain dwellings will be counted for purposes of calculating residential density, and (ii) amendment of §34-1200, the definition of “dwelling unit” to strike language referring to exclusive use of kitchen areas; and

**WHEREAS**, a public hearing on the Proposed Zoning Text Amendment was held by the City Council on January 7, 2019, after notice to the public and to adjacent property owners as required by law, and after conclusion of the public hearing, and after consideration of the Planning Commission’s recommendation, and the recommendations given by staff, this Council is of the opinion that that the Proposed Zoning Text Amendment, as recommended by the Planning Commission, has been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, general welfare and good zoning practice require the Proposed Zoning Text Amendment, as recommended by the Planning Commission, and (ii) the Proposed Zoning Text Amendment, as recommended by the Planning Commission, is consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Chapter 34 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and re-enacted as follows:

**CHAPTER 34. ZONING**  
**ARTICLE I. ADMINISTRATION**

**Sec. 34-6. Interpretation of district boundaries; rules of construction.**

(a)....

(j) For purposes of calculating residential density of development (dwelling units per acre) the following uses shall be counted as one (1) dwelling unit: boarding house; boarding, fraternity and sorority house; convent; monastery; family day home; residential treatment facility.

...

**ARTICLE X. DEFINITIONS**

**Sec. 34-1200. Definitions.**

The following words, terms and phrases, when used in this chapter, will have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

...

*Dwelling unit* means a building, or any portion thereof, containing a complete set of living accommodations suitable for occupancy by one (1) or more persons, consisting of sleeping, bathroom, and complete kitchen facilities ~~for the exclusive use of such occupants~~, and having either direct access from the outside of the building or through a common hall to the outside of the building.

...

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	January 7, 2019
Action Required:	Approval of Resolution
Presenter:	John Blair, City Attorney
Staff Contacts:	John Blair, City Attorney Brian Wheeler, Interim Clerk of Council
<b>Title:</b>	<b>City Council Regular Meeting Schedule for 2019</b>

**Background:**

Local municipalities may approve a regular Council meeting schedule for the calendar year in order to establish meeting dates for the year. The proposed schedule includes variances according to holidays and summer break.

**Discussion:**

Regularly scheduled Council meetings take place on the first and third Mondays of each month at 6:30 p.m. in Council Chambers at City Hall pursuant to Charlottesville City Code Section 2-41. If a regularly scheduled Council meeting falls on a holiday, then the meeting will take place on Tuesday. Council has previously taken a summer break the first meeting in August. Councilor Hill has requested that Council consider shifting the summer break by not holding a meeting on the third Monday in July (July 15, 2019). Councilor Hill's proposal is reflected in the attached resolution.

The proposed regular Council meeting schedule for 2019 is as follows:

January 7, 2019	July 1, 2019
<i>Tuesday, January 22, 2019</i>	July 15, 2019 – <b>no meeting</b> (summer break)
February 4, 2019	August 5, 2019
<i>Tuesday, February 19, 2019</i>	August 19, 2019
March 4, 2019	<i>Tuesday, September 3, 2019</i>
March 18, 2019	September 16, 2019
April 1, 2019	October 7, 2019
April 15, 2019	October 21, 2019
May 6, 2019	November 4, 2019
May 20, 2019	November 18, 2019
June 3, 2019	December 2, 2019
June 17, 2019	December 16, 2019

*Italics* indicate an adjusted date due to a holiday.



**Alignment with City Council's Vision and Priority Areas:**

This aligns with Goal 4 of the strategic plan: *Be a well-managed and successful organization.*

**Attachment:**

Resolution

## RESOLUTION

### Approval of City Council Regular Meeting Schedule for 2019

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following dates are approved for regularly scheduled Council meetings for 2019:

January 7, 2019

*Tuesday, January 22, 2019*

February 4, 2019

*Tuesday, February 19, 2019*

March 4, 2019

March 18, 2019

April 1, 2019

April 15, 2019

May 6, 2019

May 20, 2019

June 3, 2019

June 17, 2019

July 1, 2019

July 15, 2019 – **no meeting** (summer break)

August 5, 2019

August 19, 2019

*Tuesday, September 3, 2019*

September 16, 2019

October 7, 2019

October 21, 2019

November 4, 2019

November 18, 2019

December 2, 2019

December 16, 2019

*Italics indicate an adjusted date due to a holiday.*

**BE IT FURTHER RESOLVED** that these dates will be published on the City's calendar at [www.charlottesville.org](http://www.charlottesville.org) and posted at the Clerk of Council's office; and

**BE IT FURTHER RESOLVED** that should Council desire to amend the schedule during the year, they may do so with a majority vote; should such a change occur, it will be publicized with a City press release, updated on the City's calendar, and posted at the Clerk of Council's office.

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



Agenda Date:	January 7, 2019
Action Required:	Resolution
Presenter:	Kaki Dimock, Acting Assistant City Manager – introduction Mayor Nikuyah Walker & Vice Mayor Heather Hill – discussion
Staff Contacts:	Kaki Dimock, Director, Acting Assistant City Manager Matthew Murphy, Outreach Coordinator
<b>Title:</b>	<b>Establishing a Priority-Setting Commission</b>

**Background:**

Responding to concerns that the Agency Budget Review Team (ABRT) was not as effective a process as it might be, Mayor Walker and Vice Mayor Hill established an ad hoc workgroup to consider how the process of city funding for nonprofits might be improved. This workgroup has assessed the historical A.B.R.T. process, reviewed an analysis of the process completed by a Batten School class last year, and researched nonprofit funding approaches used by other communities. While this workgroup has not yet concluded its work, one of its primary recommendations is for the creation of a priority-setting commission to inform council funding priorities and decision-making. In the revised process, priorities identified by this commission will determine how the majority of available nonprofit funding will be distributed. This approach would focus city funding on specific funding areas as opposed to providing general support to many nonprofits, as has been the history.

Specifically, the commission will be charged with establishing 3-5 funding priorities in a formal report to council in May. The commission will meet regularly over 4 months from January – April to review local data on demographics, need, indicators on community well-being; seek counsel from area experts, and hold at least one open community listening session to determine the annual funding priorities. Commission will review existing, reliable data with trend lines, if possible, including but not limited to:

- A. City strategic plan
  - 1. Strategic initiative scorecards
  - 2. Departmental scorecards
- B. Stepping Stones Report
- C. Community Planning & Management Team (CPMT) Data Dashboard
- D. Local community demographics
- E. National Citizen Survey results

F. Housing Advisory Committee & Neighborhood Development Services Housing Strategy

G. Orange Dot report

Membership for the commission will be recruited through an open call for applications and selected by council as a group. The commission will consist of 12 members.

The commission may be supported by city staff or outside facilitator, as council prefers.

**Discussion:**

While the workgroup's full proposal for a revised nonprofit funding process will come before council for consideration at a later date, there is consensus among the group that a priority-setting commission would improve the city's capacity to award funding where it is needed most. This matter is before council now as a matter of timing. In order for priorities to be established in time for the FY2021 funding cycle, a commission must conclude its work by May 2019.

**Alignment with City Council's Vision and Strategic Plan:**

A priority-setting commission has the potential to impact all area of the strategic plan.

**Community Engagement:**

The ad hoc workgroup represents several community members.

**Budgetary Impact:**

If the council wishes to provide meals and/or outside facilitation for this commission, there will be some budget impact, though the total has not been determined.

**Recommendation:**

The advisory group tasked with examining the outside non-profit funding process recommends the establishment of the Priority-Setting Commission as described in the memo.

**Alternatives:**

Council could recommend the group go back and establish a different method for priority setting.

Council could recommend that consideration of the priority-setting commission be delayed until the full proposed revised process is presented.

**Attachments:**

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Rivanna Water & Sewer Authority  
Rivanna Solid Waste Authority  
695 Moores Creek Lane  
Charlottesville, Virginia 22902-9016  
434.977.2970 • 434.293.8858 Fax  
www.rivanna.org

## MEMORANDUM

**TO: THE HONORABLE CHARLOTTESVILLE CITY COUNCIL**

**FROM: BILL MAWYER, EXECUTIVE DIRECTOR  
RIVANNA WATER & SEWER AUTHORITY  
RIVANNA SOLID WASTE AUTHORITY**

**SUBJECT: QUARTERLY UPDATE**

**DATE: JANUARY 2019**

This quarterly update is to provide information on drinking water and wastewater projects currently in the planning, design or construction phases. A general overview of significant current and upcoming Capital Improvement Projects includes:

1. Water Treatment Plant Improvements

Scope: Replace equipment which has reached end-of-service life at the South Rivanna and Observatory Water Treatment Plants. Increase water treatment capacity from 7.7 to 10 million gallons per day at the Observatory Water Treatment Plant.

Completion: 2019 - 2023  
Cost: \$34.7 million

2. Ragged Mountain Reservoir to Observatory Water Treatment Plant Raw Water Line and Raw Water Pump Station

Scope: Replace two 18-inch cast iron raw water pipes, which have been in service for more than 110 and 70 years, respectively, and the existing Stadium Road and Royal raw water pump stations which have exceeded their service lives or will require significant upgrades to support the Observatory Water Treatment Plant expansion.

Completion: 2021 - 2023  
Total Capital Project: \$18 million

3. Sugar Hollow Dam – Rubber Crest Gate Replacement and Intake Tower Repairs

Scope: Replace the inflatable rubber device that sits on top of the concrete dam and regulates the normal water level in the reservoir. The gate is over 20 years old, and has reached the end of its service life. Concrete repairs will be made on the intake tower.

Completion: 2019 - 2021  
Cost: \$1.1 million

4. South Fork Rivanna to Ragged Mountain Reservoir Pipeline Right-of-Way  
 Scope: Determine alignment and acquire right-of-way and easements for a nine-mile-long pipeline and pumping station to transfer raw water between the South Rivanna Reservoir and the Ragged Mountain Reservoir, as required by the Community Water Supply Plan.  
 Completion: 2017-2021  
 Cost: \$2.3 million
  
5. Birdwood Raw Water Main  
 Scope: This project includes installation of approximately 6,000 linear feet of 36-inch raw water piping along the eastern property boundary of the Birdwood property while the golf course is being reconstructed.  
 Completion: November 2018 - October 2019  
 Cost: \$4 million
  
6. Urban Water Demand and Safe Yield Study  
 Scope: Assess the capacity of the Urban water supply reservoirs as well as the community's future water demand to ensure our long-term water supply is adequate, as required by the Ragged Mountain Dam Agreement.  
 Completion: August 2019  
 Cost: \$154,000
  
7. Urban Finished Water Infrastructure Master Plan  
 Scope: Update our drinking water infrastructure master plan to ensure future water distribution piping projects are planned to effectively serve customers throughout the system.  
 Completion: January 2020  
 Cost: \$253,000
  
8. Upper Schenks Branch Wastewater Piping Replacement, Phase II  
 Scope: Replace sewer piping installed in the mid 1950's in conjunction with the City's sewer upgrade program to increase system capacity. The new underground piping would be located near McIntire Road.  
 Completion: TBD  
 Cost: \$4 million
  
9. Rt. 29 Water Pumping Station and Piping  
 Scope: Provide a water pumping station located near the future intersection of Meeting Street and Airport Road to improve the reliability of the Urban Water System.  
 Completion: 2021-2022  
 Cost: \$2.3 million
  
10. Crozet Water Treatment Plant Improvements  
 Scope: Replace equipment which has reached end-of-service life and increase water treatment capacity from 1 to 2 million gallons per day at the Crozet Water Treatment Plant.  
 Completion: 2018 - 2021  
 Cost: \$8.5 million



11. Beaver Creek Dam and Pump Station Modifications

Scope: Provide modifications to the dam to control the flow of water across the spillway during major storm events.

Completion: 2021 – 2023

Cost: \$23 million

cc: RSWA Board of Directors  
RWSA Board of Directors