

CITY COUNCIL AGENDA January 16, 2024

Juandiego R. Wade, Mayor Brian R. Pinkston, Vice Mayor Natalie Oschrin Michael K. Payne J. Lloyd Snook, III Kyna Thomas, Clerk

4:00 PM OPENING SESSION

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

Call to Order/Roll Call Agenda Approval

Reports

1. Report: CVille Scholarship

2. Report: Charlottesville Area Transit Alternative Fuels Study results with

recommendations

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

Proclamation: 2024 National Day of Racial Healing

Consent Agenda* The consent agenda consists of routine, non-controversial items whereby all items are passed

with a single motion and vote. After the reading of the consent agenda, the mayor will open the floor for comments from the public on the items that were read. Speakers will have up to three minutes each to make comments before City Council votes on the consent agenda. Speakers

must state their name and locality for the record.

3. Minutes: November 13 work session, November 14 joint public hearings with

Planning Commission, November 20 regular meeting, November 29 Zoning

Ordinance work session, January 9 joint meeting with Planning

Commission, January 10 joint meeting with Schools

4. Resolution: Resolution to appropriate funding from the FY23 State Criminal Alien

Assistance Program (SCAAP) Grant for Albemarle Charlottesville Regional

Jail - \$16,768 (2nd reading)

5. Resolution: Resolution to appropriate funding from the Capital Improvement Plan

Contingency Account to Virginia Supportive Housing for Premier Circle

PSH - \$750,000 (2nd reading)

6. Ordinance: To amend, re-ordain, and re-enact Chapter 30, Article 4 of the City Code

(Real Estate Tax Relief for the Elderly and Disabled Persons) to move

application/certification deadline to April 1

City Manager Report

Report: Monthly update

Report: City Sheriff Budget Presentation

Report: Downtown Mall Tree Management Presentation

Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for

first 8 spaces at https://www.charlottesville.gov/692/Request-to-Speak; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting.

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

Action Items

7. Public Ordinance to approve a Zoning Map Amendment pursuant to Sections 34-

Hearing/Ord.: 41 of the Code of the City of Charlottesville for properties located at 106 –

114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road - VERVE

Charlottesville PUD – ZM23-00004

8. Public Ordinance to Rezone land fronting on Ivy Road and Copeley Road related

Hearing/Ord.: to the "2117 Ivy Road Plan Unit Development Plan Submittal"

9. Public Public Hearing and Resolution of Appropriation to Amend the FY24 Budget

Hearing/Res.: (1 of 2 readings)

10. Resolution: Resolution to appropriate ARPA funding and authorize the City Manager to

acquire Avon/Levy Property for future redevelopment - \$4,000,000 (1 of 2

readings)

11. Ordinance: Ordinance to amend the procurement provisions of the City Code to

achieve consistency with the Virginia Code

General Business

12. Written Report: Rivanna Authorities Quarterly Report

Other Business

Community Matters (2)

Adjournment

CHARLOTTESVILLE SCHOLARSHIP PRO GRAM

Fulfilling our
Community's Promise
by supporting our students
and
enriching our community
since 2001

Charlottesville Scholarship Program

A Scholarship Fund of the Charlottesville Area Community Foundation

PO Box 1221 Charlottesville, VA 22902

434.987.8338

cvillescholarship.com scholars@cvillescholarship.com



What is the Charlottesville Scholarship Program?

- Scholarship fund of the Charlottesville Area Community Foundation established by City Council in 2001 with an initial gift of \$250,000
- Provides financial support to City of Charlottesville high school seniors and adults pursuing-2or 4-year undergraduate degrees, vocational training, or professional certifications
- Volunteer Board of Directors with one partime Program Manager
- Volunteer Navigators support and encourage Scholars throughout their course of study

4-year College

Degrees 2-year College

Trade School

and

Professional

Certifications

How does CSP benefit our scholars and our community?

- Personal Fulfillment
- Career Opportunities
- Increased Earnings
- Establish Family Experience with Post-Secondary Education
- Higher Rates of Civic Engagement
- Higher Rates of Volunteerism
- Higher Voter Turnout
- Healthier Community



Charlottesville Scholarship

Program's Impact

Number of scholars currently supported 35

S111 Mill O Current value of City Council's initial investment of \$250,000

Total value of CSP scholarships awarded to date

\$961,000

188

Total number of CSP scholarships awarded to date

Total number of scholars who have achieved their degree or certification goal

Our CSP Scholars

Averett University Bluefield College Christopher Newport University College of William & Mary Culinary Institute of America East Carolina University Ferrum College Flagler College George Mason University Georgetown University Howard University James Madison University Johnson and Wales University Leslie University Longwood University Lynchburg University Mary Baldwin University



Norfolk State University North Carolina Agriculture & Technical State University Old Dominion University Pennsylvania State University Piedmont Virginia Community College Radford University Rhode Island Institute of Design Syracuse University Temple University University of Virginia University of Mary Washington Virginia Commonwealth University Virginia State University Virginia Tech Wesleyan University

HOW CSP SUPPORTS OUR SCHOLARS





for renewable scholarships each year, with total awards of up to \$13,000 per student

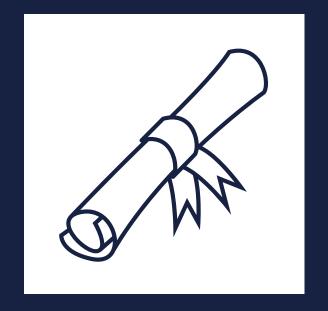
CSP typically selects 11 new students Each CSP Scholar is assigned a local adult volunteer Navigator who supports, advises,& encourages the student throughout the post-secondary course of study

Who is eligible for a CSP Promise Scholarship?

Low- to Moderate-Income People seeking to further their education who are:



Charlottesville City School
System high school seniors
residing in the
City of Charlottesville



Charlottesville City School
System high school
graduates or GED
recipients residing in the
City of Charlottesville



City of Charlottesville

Municipal and Charlottesville

City School System

Employees, regardless of

residency

Preston Coiner Scholarship

A Named Scholarship of the Charlottesville Scholarship Program

Established by the Coiner family in 2015 in honor of Preston Coiner, and administered by CSP, the Preston Coiner Scholarship is funded by the Preston Coiner Endowment. One renewable award is available per year, with the annual payout calculated on a percentage of the Preston Coiner Endowment. Applications require an original essay on some aspect of local history. The Preston Coiner Scholarship is open to Charlottesville or Albemarle public or private high school seniors or adult high school graduates residing in the City of Charlottesville or County of Albemarle.

CSP Annual Calendar



MARCH 1ST

Scholarship
application & renewal
deadline

MARCH

Scholarship Committee review period

APRIL

Scholarship
Committee
prepares list of
recommended new
Scholars

MAY

Board approves
list of new
Promise Scholars

EARLY SUMMER

Scholarship awards paid out

FALL - SPRING

Navigators advise, encourage, and support Scholars

Our Community Partners





INVEST FOR GOOD





















How are we making CSP Scholarships more equitable?

By encouraging, welcoming, and fairly evaluating applications from income-eligible City residents participating in alternative and nontraditional learning programs in the City

- CATEC
- Lugo-McGinnessAcademy
- PREP Ivy Creek
- Virtual Education
- WALK Program

- Knight School
- Home-bound Instruction
- Home-based and Tutorial Assistance
- Hospital Education at UVA Children's Hospital
- Adult Learning Center (Thomas Jefferson Adult and Career Education)

Who else in our community could benefit from a CSP Scholarship?

Adults seeking

- 4-year degree
- 2-year degree
- Vocational Training
- Professional Certification

To improve:

- Work skills
- Career prospects
- Lifetime earnings
- Personal satisfaction

Questions? Comments? Suggestions? Please reach out to a member of the CSP Team

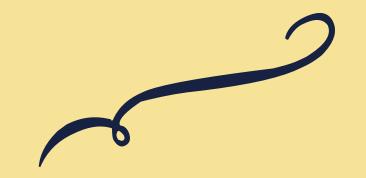
Board of Directors

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LEAH PURYEAR, EX OFFICIO
CHAQUITA VENABLE, EX OFFICIO

Stat
Stat
STEPHANIE LEECH, PRÖGRAM MANAGER





Thank you for supporting

our

CSP Scholars!





Project Goals

- Achieve 45% GHG reduction by 2030; net zero by 2050
- Determine a preferred cleaner fuel type for CAT
 - Consider trade-offs including operating and capital cost, emissions impact, and operational viability
 - Balance the current level of service with practicality of low or no emissions buses (minimize impact to operations)
 - Consider well-to-wheel impact of propulsion technology on local and global emissions
- Determine high level implementation strategy and timeline of the preferred fuel type



Technology Considerations





Resources

Fuel Sourcing

- Vehicle Costs
- Training
- **Funding**



Operations

Ease and Reliability

- Infrastructure Requirements
- Risks
- Flexibility and Scalability
- Administration
- Maintenance



Sustainability

- Environmental Impact (Local)
- Environmental Impact (Global)
- Resiliency
- Alignment with Local/Regional **Policy**







	Natural Gas (NG)	Battery-Electric Bus (BEB)	Fuel Cell Electric Bus (FCEB)
Propulsion	Uses combustion to provide propulsion through a mechanical drivetrain.	Convert electricity from onboard batteries into propulsion through electric motor.	Convert electricity from both a hydrogen fuel cell and onboard batteries into propulsion through electric motor.
Emissions	Produces less tailpipe GHG emissions than diesel. Certain local emission like CO would increase. RNG would significantly reduce global greenhouse gas emissions.	Produce zero tailpipe emissions.	Produce zero tailpipe emissions.
Refueling/ Recharging	Is refueled identically to existing natural gas buses.	May be charged overnight or fast- charged on route using plug-in, overhead pantograph, or in-ground inductive charging.	May be refueled with hydrogen dispensed from pump.
Training	Requires new training for operators and mechanics.	Requires new training for operators, mechanics, and route planners.	Requires new training for operators and mechanics.
Infrastructure	Requires fuel delivery or pipe hookup and storage. Requires facility space for gas storage, compression, and dispensing equipment.	Requires additional facility space, charging equipment, and infrastructure.	Would require hydrogen fuel delivery and storage or on-site production. Requires facility space for hydrogen storage, compression, and dispensing equipment.



Technology Evaluation

CNG/RNG

Cost Effective

Mature Technology

Resilient Operations

Produces Emissions



Battery Electric

Zero Tailpipe Emissions

Mature ZEB Technology

Definitive Source of Fuel Large Fleet High Cost

Range Concerns

Hydrogen Fuel Cell

Zero Tailpipe Emissions

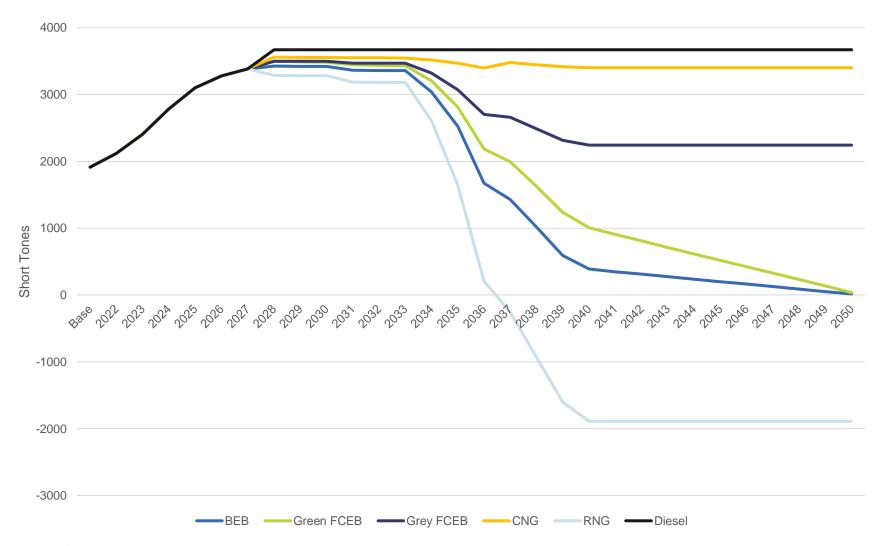
Resilient Operations High Cost to Deploy Lack of Fuel Supplier







GHG Emissions





- The initial rise in emissions is due to fleet expansion
 - Peak fleet (58) is achieved in 2028
- 2050 reduction in GHG emissions compared to 2021's diesel fleet
 - RNG: 151.4%
 - BEB: 99.4%
 - Green FCEB: 99.0%
 - Grey FCEB: 38.9%
 - CNG: 7.3%



Charlottesville Area Transit Facility Design and Zero Emissions Vehicles
Feasability Study

Cooperio	Number of Vehicles	Emissions Reductions		Vehicle Costs	Facility Costs	Operational Costs [Fuel +
Scenario		Long-Term	Near-Term	(Local Match)	(Local Match)	Maintenance] (Local Match)
Diesel (Baseline)	58 (40 Current)	-		\$29M (\$1.2M)	N/A	\$2.2M (\$550K)
Battery Electric	94	99.4%	6.8%	\$83.5M (\$3.3M)	\$6.3M (\$300K)	\$1.1M (\$275K)
Battery Electric w/ Fast Charging	63	99.6%	6.8%	\$56M (\$2.2M)	\$6.3M (\$300K)	\$1.2M (\$300K)
Battery Electric (Low-Estimate)	58-63	99.6%	6.8%	\$49M - \$56M (\$2.0M - \$2.2M)	\$3.7M - \$6.3M (\$100K - \$300K)	\$1.1M - \$1.2M (\$275K - \$300K)
Hydrogen	58	99.0%	5.1%	\$64M (\$2.6M)	\$5.7M (\$200K)	\$1.9M (\$475K)
CNG [RNG]	58	7.3% [151.4%]	3.1% [10.6%]	\$32M (\$1.3M)	\$2.3M (\$100K)	\$1.2M (\$300K)



Charlottesville Area Transit Facility Design and Zero Emissions Vehicles
Feasability Study



Regional Example

Arlington (ART)



- 2022-2023 study to evaluate ZEB technologies
 - RNG, BEB, FCEB
- Modeling suggested BEB implementation would require additional buses and scheduling changes
- Space constraints at O&M facilities

Technology	Conditions ¹	Battery Size	Other	Success Rate	Additional Buses
BEB	Summer w/ AC	440 kWh		96.2%	2
	Winter w/ Heat	440 kWh ⁴		13.2%	46
	Winter w/ Heat	440 kWh	Auxiliary Heat ²	92.5%	4
	Winter w/ Heat	550 kWh		62.3%	20
	Winter w/ Heat	440 kWh	On-Route Charging ³	22.6%	41
FCEB	Summer w/ AC	n/a (Fuel Cell)		100%	0
	Winter w/ Heat	n/a (Fuel Cell)		100%	0 _P

Arlington (ART)



- Many variables and risks, including the pace and costs of technology evolution
- Recommended pilot of both BEB and FCEB technologies





Recommendations



- 1. CAT will transition to a zero-emissions fleet by 2040, supporting the City's climate goals of carbon-neutral operations by 2050
- 2. CAT will pilot to two fuel types for transition: battery-electric and hydrogen fuel cell
 - 1. The BEB pilot will begin with 2 BEBs being purchased in 2024.
 - 2. Hydrogen fuel cell pilot vehicles will be purchased in 2027
 - 3. BEB pilot testing will come before hydrogen pilot testing, so there is sufficient time to establish a source for a hydrogen supply or generation.
- 3. During pilot testing, CAT will continue expanding its fleet to meet the capital requirements of planned service improvements



Recommendations Cont.



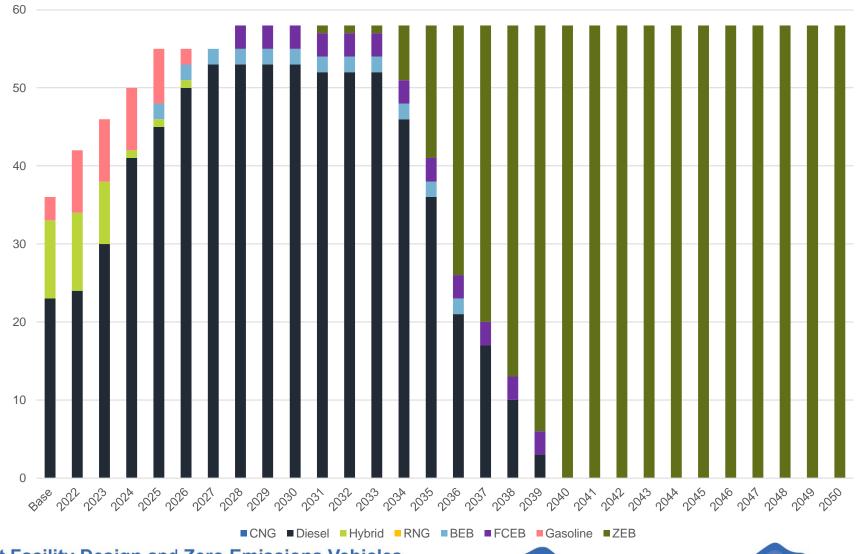
- 4. The final fleet mix will be determined through pilot testing and improvements to ZEB technologies. CAT's chief consideration will be the fleet's reliability and capital and O&M costs
- 5. Charging and fueling will take place at the CAT facility
 - The City will identify a source for hydrogen fuel and investigate on-site green hydrogen production as part of the site planning effort.
 - The City will investigate on-site generation of electricity for the charging of BEBs at the CAT facility as part of the site planning effort

ZEB Transition Guide





- 2025 2 BEBs added to fleet as expansion vehicles
 - 2028 3 FCEBs will be added to fleet as expansion vehicles
- 2040 First year for a potential 100% ZEB fleet
 - Assumes 12-year lifespan for buses







Next Steps

- Finalize the alternative fuel feasibility study
- Begin the conceptual site design of the CAT facility expansion and additional site improvements
- Complete zero-emissions transition plan requirements for FTA



Discussion



CITY OF CHARLOTTESVILLE



National Day of Racial Healing Recognition January 16, 2024

WHEREAS the Charlottesville City Council envisions Charlottesville to be a place where everyone thrives and is committed to justice, equity, diversity, and inclusion through the implementation of equitable practices and policies across all its activities; and

WHEREAS we understand and recognize that we must all work earnestly to heal the wounds created by systems of oppression and exploitation founded on false ideals of racial difference. We must work to build a just and equitable society that values, respects, protects and empowers all people; and

WHEREAS City Council dedicates itself to the principles of inclusion, racial healing, and social equity in order to bring the necessary changes in thinking and behavior that will propel our great city forward as a unified force to become a community where everyone enjoys dignity, respect, and success; and

WHEREAS commitment to and action towards racial healing is vital and crucial to the well-being and betterment of all community members in the City of Charlottesville; and

WHEREAS community members in the City of Charlottesville have a unique responsibility to work earnestly and collaboratively to create courageous and supportive environments that acknowledge the traumatic past; promote the healing of the wounds created by racial, ethnic, and religious, and other social biases; and build an equitable and just society so that all people of the City of Charlottesville's community can thrive;

NOW, THEREFORE, the Charlottesville City Council, in unity with others throughout the United States of America, takes great pleasure in recognizing the Tuesday following Martin Luther King Jr. Day as the National Day of Racial Healing and urges the community to organize for the promotion of racial healing on this day and throughout the year.

Signed and sealed this 16th day of January 2024.
Juandiego R. Wade, Mayor
Attest:

Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING WORK SESSION MINUTES

November 13, 2023 at 6:00 p.m. City Hall Council Chamber, 605 E. Main Street

The Charlottesville City Council held a special meeting in the format of a work session on Wednesday, November 13, 2023. Mayor Snook called the meeting to order at 6:08 p.m. with all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, Councilors Michael Payne, Brian Pinkston and Leah Puryear.

James Freas, Director of Neighborhood Development Services introduced the topic: Draft Zoning Ordinance - Affordable Housing and Accessory Dwelling Unit (ADU) Manual. He made note of scrivener's errors in the Planning Commission draft ordinance lines 6 and 7 regarding equivalency units:

"Sec. 4.2.2.C.1.c. Equivalency of Units

ii. Affordable dwelling units must include the same interior features as the other units in the same building, but appliances <u>and finishes</u> need not be the same make, model, or style, so long as they are new and of good quality.

vi. For projects containing at least 30% of units as affordable housing units meeting the Sec. 4.2.2.C.1.a. Term of Affordability requirements and Sec. 4.2.2.C.1.b. Cost requirements, the equivalency requirements of this section do not apply.

vii. When a project demonstrates the affordability goals of the Comprehensive Plan and Affordable Housing Plan and the intent of this Section are met, the Administrator may accept modifications to these requirements consistent with the guidance of the Affordable Dwelling Unit Monitoring and Procedures Manual."

The Affordable Dwelling Unit (ADU) requirements of the Charlottesville Development Code, found in Section 4.2.2, is an important part of how this new code implements the Comprehensive Plan and Affordable Housing Plan. The ADU section is an example of "inclusionary zoning" and implements a direct recommendation of the Affordable Housing Plan.

Kyle Talente, RKG Associates, answered a question from Councilor Pinkston about the affordability period, stating that it is more beneficial to try to preserve affordability for as long as possible upfront than to try to renegotiate a commitment if there is a short initial affordability period.

Sunshine Mathon, Executive Director of Piedmont Housing Alliance and representing the Charlottesville Housing Advisory Committee (HAC), handed out a Final Recommendations for Zoning Code Update from the HAC, which stated components for balancing preservation of affordability for the community and opportunity for wealth building for individuals.

Council discussed various housing models including the Habitat for Humanity model, community land trusts, setting a number for affordable dwelling units within built developments, and

maintaining flexibility while adhering to city values. Discussion included the Low Income Housing Tax Credit (LIHTC) program, partnerships with non-profit organizations, and design standards.

Antoine Williams, Housing Program Manager, stated that affordable units will be inspected/monitored at regular intervals to ensure that structural standards are implemented equitably, distinguishable from furnishing, fixtures and equipment equivalency, according to what was marketed.

Meeting discussion areas were summarized in a memo sent from the Mr. Freas to City Council earlier in the day:

"Proposed ADU Rules

Charlottesville's proposed ADU requirements are that any project of 10 or more units outside of the Residential Districts (R-A, R-B, R-C) must provide 10% of those units as affordable to households earning up to 60% of AMI. Rental projects are required to be affordable for 99 years while the Planning Commission's recommendation is that ownership units be affordable for only the first buyer. The ADU requirements are found in section 4.2.2. Beyond the base requirements described above, there are three main components of the ADU rules. 1) how the affordable rate is determined; 2) the standards for how the units may be constructed; and 3) the bonus provisions. The Affordable Dwelling Unit Monitoring and Procedures Manual provides greater detail on how these standards and requirements are applied.

Analysis and Policy Questions for Discussion

The ADU section of the Development Code is complex, and given its significance to the City's overall objectives, there are, not surprisingly, many different perspectives on the details of how it should work. These are important policy questions for the Council to consider moving forward and are presented below.

Term of Affordability, Rental vs. Ownership

One of the significant components of the proposed ADU program is that units are required to be affordable for 99 years, which is effectively to make them perpetually affordable. Approximately 30% of such programs nationally have this requirement and the reason is simple as the policy goal is to establish an effectively permanent affordable housing component to each project.

The Planning Commission's recommendation includes the distinction that the 99-year standard should only apply to rental projects and that ownership units should only be affordable to the first buyer allowing that buyer to capture full market value at resale of the property. Such a distinction is uncommon in similar ordinances nationally. The policy question is simple and relates to the objective identified above of whether the City is seeking to permanently add to the ownership affordable housing stock or whether the City has a greater interest in creating a wealth building opportunity for the first low-income household buyer. Concern has been expressed about the ability of owners of restricted affordable units to gain equity and wealthbuilding opportunities where there is a long-term affordability requirement, but research has indicated that owners do gain a wealth-building opportunity from these units.

In practice, the affordability restriction requires that the unit be sold to another qualifying low-income household, thereby preserving through time the mixed income aspect of the community established through the ADU requirements.

Flexibility in Design Standards and Concurrency

Another important idea found in the ADU requirements is that required affordable units should be equivalent to market rate units and built concurrently. This requirement includes the concept that the required affordable units should be distributed throughout a project rather 1 See page 34, "Inclusionary Housing: Creating and Maintaining Equitable Communities"; Lincoln Institute of Land Policy.

than concentrated in one location. The policy objective is to ensure that the required affordable units are not distinguishable and stigmatized. Qualifying residents of these units should not be identified as being low-income households by living in an identifiable required affordable unit.

The Planning Commission recommended that, where affordable housing bonus projects are being constructed in the Residential Districts (R-A, R-B, R-C), that there be some flexibility to this standard, recognizing that such projects might take a variety of forms (small multifamily, townhouses, small single unit, etc.) and that some flexibility in the design and concurrency standards might be required in order to make a project work.

Fee-in-lieu Options

A fee-in-lieu option for affordable housing requirements are common in these types of ordinances, giving some flexibility towards the goal of affordable housing production in the City. There are two primary methods used to calculate these fees, one based on the cost of producing a new affordable unit and the other based on the increment or affordability gap between the revenue from a market-rate and affordable unit. Very simply, the production cost approach results in a very high fee and therefore steers development projects towards producing the unit rather than paying the fee which the increment calculation approach generally equalizes the cost of producing the unit or paying the fee, leaving other factors to influence whether an affordable unit is provided or not. The currently proposed ADU program recommends the production cost fee approach, reasoning that the City's primary interest is in development projects providing on-site affordable units. This is an important policy decision.

The ordinance also provides for a fee-in-lieu for fractional units. Where the calculation of the number of required units results in a fraction of .5 or greater, the ordinance requires a unit to be produced. For fractions less than .5, the ordinance requires an equivalent fee. The intent of this fee structure is to reduce the extent to which development projects "game the system" by setting their unit counts to avoid fractions. The practical result of this "gaming" is typically to reduce the overall number of units and therefore works against the City's housing production goals. By having this fee-in-lieu for fractional units, there is less incentive to "game the system" and the City potentially gets both units and some funding towards the production of affordable units elsewhere. Importantly, this fee-in-lieu calculation must use the increment calculation approach as in this case, the City is not trying to incentivize a unit to be produced and using the production cost approach would be punitive, working against the goal of this section.

Student Housing and the Fee-in-lieu

Making a policy decision on how student housing will be addressed in the ADU program is essential where such housing is a significant component of new construction. The decision here is whether the City would prefer that student housing projects provide affordable units for students or pay the fee-in-lieu. There are pros and cons to each approach.

The ordinance as currently drafted includes a provision requiring student housing projects to provide affordable student housing. The draft is modeled on a program from Minneapolis. The benefit of this approach is that low-income students do not contribute to the displacement of low-income city residents from lower cost housing. On the other hand, a legitimate argument could be made that the University should be directly assisting such students in finding housing options. There is also some added complexity in monitoring these student affordable units and most student housing projects prefer the fee-in-lieu.

Where student housing is required to pay the fee-in-lieu, the benefit is that funding is available to support the creation of more affordable units. In this option, where the policy direction is not to create affordable units as part of student housing projects, the fee-in-lieu should be calculated using the increment approach. Where the City is not actively seeking an affordable unit, the production cost approach would be punitive.

Overall, it is not recommended that a non-student oriented affordable unit be required in specialized student housing projects.

Affordable Housing Bonus in the Residential Districts

Each of the Residential Districts includes an Affordable Housing Bonus of additional allowed units where all of the bonus units are affordable according to the standards of section 4.2.2. In R-A (and RN-A) the bonus allows a maximum of 6 units while R-B and R-C allow a maximum of 12 units. This allowance creates the opportunity for deed restricted affordable units in all neighborhoods of the City. As such projects would generally not be financially feasible as a stand-alone project, most development projects of this nature would involve an affordable housing developer utilizing some form of outside subsidy.

As noted above, the intent of this bonus is to create an opportunity. Staff acknowledges that projects using this bonus may be rare, but where this bonus does not exist, the opportunity for deed restricted affordable units at 60% AMI or less in the Residential Districts becomes much less. Because the bonus allows a project with a substantial amount of affordable housing to have greater density, it gives some competitive advantage to affordable housing projects over market rate projects, essentially boosting the land area competitively available for affordable housing development. The two significant factors limiting the development of deeply affordable housing are the availability of subsidies and the availability of land. The policy question becomes whether that opportunity outweighs concerns for 6 or 12 unit projects in these districts.

(2 See page 28, "Inclusionary Housing: Creating and Maintaining Equitable Communities"; Lincoln Institute of Land Policy.)"

At the request of Mr. Snook, Mr. Talente explained differences between HR&A and RKG methodologies for Rate of Expected Change analysis, stating that the methodology used by RKG was a little more conservative, but the two companies came to similar conclusions.

The meeting adjourned at 8:21 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MINUTES

Joint Public Hearing with Planning Commission November 14, 2023 at 6:00 p.m. Council Chamber, 605 E. Main Street

The Charlottesville City Council met for a joint public hearing with the Charlottesville Planning Commission, the meeting having been duly noticed. Mayor Lloyd Snook called City Council to order at 6:12 p.m. following the Planning Commission opening of the public hearing portion of the meeting. The following Council members were present: Brian Pinkston, Leah Puryear, Juandiego Wade and Lloyd Snook. Councilor Payne arrived at 6:20 p.m. during the first public hearing.

Public hearings were heard in the following order:

1. ZM23-00004 – VERVE Charlottesville PUD

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville ("Code") for properties ("Subject Property"): Parcel Number: 160008000, 1705 Jefferson Park Avenue, Charlottesville, VA 22903, Parcel Number: 160005000, 106-114 Stadium Road, Charlottesville, VA 22903, Parcel Number: 160004000, 100 Stadium Road, Charlottesville, VA 22903, Parcel Number: 160003000, 102 Stadium Road, Charlottesville, VA 22903, Parcel Number: 160002000, 104 Stadium Road, Charlottesville, VA 22093, Parcel Number: 160001000, 409 Stadium Road, Charlottesville, VA 22903; The applicant is proposing to rezone the Subject Property from Multifamily Residential ("R-3") to Planned Unit Development ("PUD") with a Development Plan and a Proffer Statement. The application and development plan includes parking requirements; a use matrix including a maximum dwelling units per acre ("DUA"); yard and height regulations; open space; and landscaping. The Proffer Statement indicates the applicant will provide a cash contribution to the City's affordable housing fund in the amount equal to double that which is required under Section 34-12(d)(2). The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. The Subject Property is approximately 3.3 acres with road frontage on Jefferson Park Avenue, Stadium Road, Emmet Street, and Montebello Circle. The Comprehensive Land Use Map designates this area in the Urban Mixed Use Corridor. The Subject Property is zoned Residential Multifamily (R-3) (104 Stadium Road is zoned R-3H and is an IPP) with an Corridor Overlay. This application may be viewed online Entrance at http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhooddevelopmentservices or a copy is on file in the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this SUP request may contact NDS Planner Matt Alfele by e-mail (alfelem@charlottesville.gov) or by telephone (434-970-3636).

The public hearing was opened and the following people spoke:

- Ellen Contini-Morava, 225 Montebello Circle, spoke about variances in In-lieu affordable housing fees for student housing versus family housing.
- John Hossack, city resident, spoke in support of comments from Ms. Contini-Morava and expressed concerns about potential development heights by-right.

With no additional speakers, the public hearing was closed, and the Planning Commission deliberated.

2. ZM23-0002, SP23-00003 and P23-0046 - 108 Lankford Avenue

On November 14, 2023, the Planning Commission and City Council will conduct a Joint Public Hearing for a Rezoning application and a Special Use Permit Application ("SUP") for property located at 108, 110, 112 Lankford Avenue and identified in the City's land records as Tax Map and Parcel ("TMP") No. 260012000 (the "Subject Property"). Following the Joint Public Hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the Rezoning, SUP and Critical Slope Waiver. The owner, Green Retro Salvage II Holdings, LLC, has submitted a Rezoning application pursuant to Charlottesville City Code Section 34-41 to change the existing zoning of the Subject Property from Single-Family Residential Small Lot ("R-1(S)") to the R-3 Multifamily Residential ("R-3") with proffers. The proffers include provisions for 12.5% of residential units to be affordable to households at 60% of the area median income. The full proffer statement may be viewed in the application materials or by contacting the project Planner. The owner has also submitted a SUP application to increase the by-right density from 21 dwelling units per acre ("DUA") to 51 DUA along with modifications to the setbacks and screening requirements pursuant to Charlottesville City Code Sections 34-420, 34-158, and 34-162. The setback and screening modifications include the following: Lankford Avenue front yard setback (City Code Section 34-353A): Modified from 25-foot minimum to 10-feet. Setback requirement adjacent to low-density residential districts (City Code Section 34353(b)(4)): Modified from 75-foot minimum to 10-foot side setback and 25-foot rear setback. Setback screening requirement adjacent to low-density residential districts (City Code Section 34872(a)(1)(a)): Modified from 20-foot minimum S-2 screen landscape buffer to 6-foot opaque screening fence. In order for the applicant to implement the development plan as presented, the applicant will also need approval from City Council on Critical Slope Waiver Application P23-0046 per City Code Section 341120(b). The applicant is proposing a multifamily residential development with up to 48 units through new construction. The Subject Property is approximately 0.95 acres with road frontage on Lankford Avenue. The Comprehensive Land Use Map designates the Subject Property area as General Residential. Additional information pertaining to these applications (ZM23-0002, SP23-00003, and P23-0046) may be viewed online at www.charlottesville.gov/agenda. Persons interested in these applications may also contact NDS Planner Carrie Rainey by email at (raineyc@charlottesville.gov) or by telephone (434-9703453).

Justin Shimp, applicant, made a presentation and requested deferral of the project.

The public hearing was opened. With no speakers, the public hearing was closed, and the

Planning Commission deliberated. The Planning Commission voted to accept the applicant's request for deferral.

3. ZM23-00003 – 2117 Ivy Road PUD

Williams Mullen ("Applicant"), on behalf of RMD Properties LLC, ("Owner") is requesting a Zoning Map Amendment pursuant to Sections 34-41 and 34-490 through 34519 of the Code of the City of Charlottesville for property located at 2117 Ivy Road and identified in the City's land records as Tax Map and Parcel ("TMP") No. 070001200 (the "Subject Property"). Following the Joint Public Hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the Rezoning request. The applicant is proposing to rezone the Subject Property from Urban Corridor ("URB") to Planned Unit Development ("PUD") with a development plan and proffers. The proffers indicate the applicant shall choose one of the following options: either provide 10% of residential units as affordable dwellings to households at 60% of area median income, or provide a cash contribution to the City's affordable housing fund in the amount equal to double that which is required under Section 34-12(d)(2). The full proffer statement may be viewed in the application materials or by contacting the project Planner. The development plan includes a commitment to affordable housing; a transportation demand management plan; a use matrix; yard and height regulations; parking requirements; open space; and landscaping. The applicant is proposing to redevelop the Subject Property and replace the existing commercial structure with one building containing (287) residential units. The proposed building will have a height of (130) feet and include (10) stories plus rooftop amenity space. In addition, the proposed PUD includes improved pedestrian and bicycle road markings at the intersection of Ivy Road, Copeley Road and Alderman Road. The Subject Property is approximately 1.027 acres with road frontage on Ivy Road and Copeley Road. The Comprehensive Land Use Map designates this area as Urban Mixed-Use Corridor. The Subject Property is zoned Urban Corridor (URB) with an Entrance Corridor Overlay. Additional information pertaining to this application (ZM23-00003) may be viewed online at www.charlottesville.gov/agenda. Persons interested in this application may also contact NDS Planner Dannan O'Connell by email at (oconnelld@charlottesville.gov) or by telephone (434-970-3991).

The traffic study did not recommend traffic improvements.

Valerie Long, representing the applicant, made a presentation.

Steve Buss, RMD Properties, answered questions about architectural components that mitigate traffic as related to the loading zone and deliveries.

Scott Dunn, Timmons Group, summarized traffic options discussed with the city's traffic engineer, particularly concerning left turns at the Ivy and Copeley intersection.

The public hearing was opened and the following people spoke:

- Anthony Artuso, on behalf of the Lewis Mountain Neighborhood Association, spoke in opposition to the project as currently designed.
- Ivo Romenesko, 920 Windsor Road, spoke in support of the project, citing the city's fixed amount of land and growing population.

- Natalie Oschrin, 531 Caroline Avenue, spoke in support of the project which will provide more housing in the city.
- Alice Roucher, architect with the University of Virginia, asked for consideration of how the proposed structure fits in with the existing residential and commercial character of the area and the city's established guidelines. She restated UVA's commitment to be part of the solution for affordable housing in the community.

Mr. Wade left the meeting at 8:48 p.m.

- Mo Van de Sompel, UVA student, spoke in support of the project.
- George Snyder, Lewis Mountain Road, asked the Planning Commission to deny the variance request for extra stories.
- A resident spoke in opposition to the project with concerns about how the project looks. She stated that building a dorm does not help families.
- Christine Palozolo, Douglas Avenue, expressed concern about the size of the development, ingress, egress, and other traffic concerns.

With no additional speakers, the public hearing was closed at 9:01 p.m. and the Planning Commission deliberated, concluding City Council business for the evening.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES November 20, 2023 Council Chamber 4:00 PM

The Charlottesville City Council met on Monday, November 20, 2023. Mayor Lloyd Snook called the meeting to order and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Brian Pinkston and Leah Puryear. Councilor Michael Payne gave notice that he would like to join the meeting electronically. At the mayor's request, Mr. Payne stated that he was in Vienna, Virginia, traveling for personal family business. On motion by Pinkston, seconded by Puryear, Council voted 4-0 to approve electronic meeting participation by Councilor Payne (Ayes: Pinkston, Puryear, Snook, Wade; Noes: none).

On motion by Pinkston, seconded by Puryear, Council unanimously approved the meeting agenda.

REPORTS

1. PRESENTATION: Budget Presentations - Advocacy and Transit

Garland Williams, Director, presented the Charlottesville Area Transit (CAT) budget overview.

Todd Niemeier, Director, presented the Office of Human Rights budget overview.

Deputy City Manager Ashley Marshall introduced the Office of Equity and Inclusion's budget overview, and the following individuals reported on sub-areas:

- Paul Rudacille, Title II Americans with Disabilities Act (ADA) Coordinator;
- Roy Fitch, Employment and Financial Opportunity Manager with the Downtown Job Center; and
- Whitmore Merrick and Stacey Washington, Senior Peer Navigators with the Home to Hope program.

2. REPORT: City Manager Work Plan - Quarterly Update

City Manager Sam Sanders presented the City Manager's Work Plan quarterly update. The updated version of the Work Plan was made available on the city website. He announced the following staffing and department updates:

- Riaan Anthony as Interim Parks and Recreation Director
- Steven Hicks as Interim Public Works Director and Interim Deputy City Manager of Operations.
- A new Office of Emergency Management led by Jeremy Evans
- A new Office of Sustainability led by Kristel Riddervold
- Currently interviewing for the Deputy City Manager for Administration
- Advertising for the Deputy City Manager for Operations
- Title of the Deputy City Manager for Racial Equity Diversity and Inclusion changed to Deputy City Manager for Social Equity

The meeting recessed until 6:30 p.m.

BUSINESS SESSION

City Council began the business session by observing a moment of silence.

ANNOUNCEMENTS

Mayor Snook thanked the police department for the gentle handling of moving occupants out of Market Street Park on October 21. Regarding Officer Wood who was injured on the job, Mr. Snook reported that he is doing better, and he thanked him for his service to the community.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record and there were no speakers.

On motion by Pinkston, seconded by Puryear, Council voted unanimously to adopt the Consent Agenda.

- 3. MINUTES: October 10 joint Council-Planning Commission public hearings
- 4. RESOLUTION: Resolution to appropriate Victim Witness Assistance Program Grant \$258,342 (2nd reading)

RESOLUTION to Appropriate Charlottesville Victim Witness Assistance Program Grant Funds - \$258,342

WHEREAS, The City of Charlottesville, through the Commonwealth Attorney's Office, has received an increase in the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$208,342; and

WHEREAS the City is providing a supplement in the amount of \$50,000, the source of which is the Commonwealth's Attorney's operating budget.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$208,342 is hereby appropriated in the following manner:

Revenues			
\$ 67,207	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$141,135	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 50,000	Fund: 209	Cost Center: 1414001000	G/L Account: 498010
Expenditure	e <u>s</u>		
\$242,515	Fund: 209	Cost Center: 1414001000	G/L Account: 519999
\$ 15,827	Fund: 209	Cost Center: 1414001000	G/L Account: 599999
Transfer			
\$ 50,000	Fund: 105	Cost Center: 1401001000	G/L Account: 561209

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt he Virginia Department of Criminal Justice Services.

5. RESOLUTION: Resolution to appropriate funding from the Supreme Court of Virginia Behavioral Health Docket Grant - \$67,792 (2nd reading)

RESOLUTION to Appropriate Albemarle-Charlottesville Therapeutic Docket Grant Award - \$67,792

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$67,792 for the Albemarle- Charlottesville Therapeutic Docket in order to fund salaries, benefits, and operating expenses; and

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$174,488; and

WHEREAS, the grant award covers the period July 1, 2023 through June 30, 2024.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$67,792, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$67,792 Fund: Internal Order: #1900537 G/L Account: 430110 (State Grant)

Expenditures

\$67,792 Fund: Internal Order: #1900537 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$67,792 from the Supreme Court of Virginia.

6. RESOLUTION: Resolution to appropriate Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program funding - \$30,000 (2nd reading)

RESOLUTION Appropriating Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program funds - \$30,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$30,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

WHEREAS, the grant award covers the period from period October 1, 2023 through September 30, 2024;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$30,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue - \$ 30,000

Fund: 209 Internal Order: 1900539 G/L Account: 430120

Expenditures - \$30,000

Fund: 209 Internal Order: 1900539 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$30,000 from the Virginia Department of Education Special Nutrition Program.

- 7. RESOLUTION: Resolution to appropriate Fire Department FY22 State Homeland Security Program Grant Award, \$51,764.00 (carried)
- 8. ORDINANCE: Ordinance for renewal of Ting Franchise Agreement (carried)

CITY MANAGER REPORT

City Manager Sam Sanders stated that his work plan will be posted to the city website.

Budget Director Krisy Hammill and City Treasurer Jason Vandever presented the quarterly financial snapshot, noting that the numbers represent a moment in time and will change throughout the year. As of September 30th, approximately 13% of the budgeted revenue for this fiscal year has been collected. Real Estate and Personal Property tax payments for the second half of 2023 are due on December 5th and represent two of the City's largest revenue sources. The Adopted Revenue budget for FY 24 totals \$228,433,246. Current revised projections indicate that revenues are tracking slightly above the budget, and revenue surplus of 3.62% or \$7.7 Million is anticipated. Mr. Vandever presented a monthly cash balance by investment type, managed investments portfolio composition, and managed portfolio maturity distribution and yields.

COMMUNITY MATTERS

Mayor Snook opened the floor for comments from the public.

1. Jay Oschrin spoke about the need for improved bus service, sidewalk infrastructure and connected bike lanes. He shared several suggestions for improving bus ridership, service and training.

- 2. Roy Van Doorn, city resident, spoke about the impacts of increased density on real estate taxes.
- 3. Lisa Draine, city resident and city appointee to the Jail Board, spoke in opposition to city support of the Albemarle Charlottesville Regional Jail renovation, given the low population of the jail.
- 4. Kate Fraleigh ceded her time to Rosia Parker, city resident, who spoke about a sign-on letter by several community groups regarding conditions for occupants of the Albemarle Charlottesville Regional Jail, and in opposition to funding the jail renovations.
- 5. Ellen Contini-Morava, city resident, commented on the VERVE Planned Unit Development (PUD) project, stating various reasons why the design is contrary to city codes. She requested that Council reject the PUD application.
- 6. Ruby Cherian ceded her time to Demarcus Brown, city resident, member of the People's Coalition and employee of the Legal Aid Justice Center, who requested investment in "care instead of cages", regarding the proposed expansion of the Albemarle Charlottesville Regional Jail.
- 7. Darryl Jones, city resident, requested investment in "care instead of cages", regarding the proposed expansion of the Albemarle Charlottesville Regional Jail. He suggested investing instead in programs for young people to prevent gun violence.
- 8. Anne Benham, city resident, spoke about proposed rezoning for the JPA Neighborhood, and asked Council to discuss suggestions from the neighborhood before adopting the new Zoning Ordinance.
- 9. Syleethia Carr, city resident, spoke in opposition to city support of the Albemarle Charlottesville Regional Jail renovation, and suggested finding other uses for the funds to help individuals.
- 10.Natalie Oschrin, city resident, spoke in support of increased density. She expressed appreciation for the sidewalk on East High Street and encouraged completion of similar projects.
- 11.John Hossack, city resident, spoke about incongruencies between the Comprehensive Plan and the Draft Zoning Ordinance, specifically regarding Accessory Dwelling Units.
- 12. Ruby Cherian, Legal Fellow with Legal Aid Justice Center, read proposals from the sign-on letter entitled "Community Groups Oppose ACRJ Jail Renovation".
- 13.Kate Fraleigh, city resident, spoke about the Albemarle Charlottesville Regional Jail renovation item on the Action Items agenda, and shared information from presentations in other localities. She spoke of ways to lower the cost share by lowering incarceration rates, and recommended starting community engagement at the beginning of the design process.

ACTION ITEMS

9. RESOLUTION: Albemarle Charlottesville Regional Jail (ACRJ) Renovation Project Financing Strategy

Colonel Martin Kumer, Albemarle Charlottesville Regional Jail Superintendent, and Courtney

Rogers, Davenport Public Finance, presented the Jail Renovation Project Plan of Finance. The immediate funding request of \$4,150,380 is intended to fund pre-development costs (architectural, engineering, and other related costs) in order to prepare the authority for bidding the project. The Two-Part Plan of Finance is designed to minimize the incurrence of debt and related interest costs until the Authority has received bids for construction and a firm project cost is known.

- Part 1: Interim Financing The Interim Financing provides only what is necessary to complete preliminary design and engineering costs so the project can be bid.
- Part 2: Permanent Financing/Grant Anticipation Note After bids are received and Total Project Costs are known, the Permanent Financing is undertaken to fully fund Project Costs not eligible for the 25% reimbursement, and permanently finance the interim financing. Simultaneously, a Grant Anticipation Note ("GAN") is undertaken to fund Project Costs eligible for the 25% reimbursement. The GAN would be paid off prior to maturity with funds provided by the 25% reimbursement once the project is complete.

The cost estimate provided by Moseley Architects is approximately \$49 million (i.e., no change from the January/February Presentations to localities). For the purposes of the analysis herein, we have assumed that \$48 million of costs are eligible for the 25% reimbursement by the Commonwealth (approximately \$12 million of Project Costs). However, the actual cost will not be known until the final design has been approved by the Board Authority and bids have been received. The analysis herein allocates projected payments on new debt service based on Inmate Days (i.e., usage of the Jail) – per the amended service agreement. The projected allocation based on FY 2024 estimates are as follows for local jurisdiction contributions (according to Inmate Days): Albemarle (45.39%), Charlottesville (39.87%), Nelson (14.74%).

Colonel Kumer answered questions from Council regarding community engagement, mental health resources, cost escalation, pre-incarceration diversion, existing conditions, and more.

On motion by Pinkston, seconded by Wade, Council voted unanimously to approve the resolution in support of the financing strategy for the Albemarle Charlottesville Regional Jail Renovation Project (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, APPROVING THE ISSUANCE OF OBLIGATIONS FOR IMPROVEMENTS TO THE ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL AUTHORITY FACILITIES

WHEREAS, the Albemarle-Charlottesville Regional Jail Authority (the "Authority") is a public instrumentality of the Commonwealth of Virginia created pursuant to Article 3.1, Chapter 3, Title 53.1, Code of Virginia of 1950, as amended (the "Act") by resolutions duly adopted by the governing bodies of the County of Nelson, the County of Albemarle and the City of Charlottesville, Virginia (the "City" and, collectively, the "Member Jurisdictions") for the purpose of developing regional jail facilities, in particular, the regional

jail joint security complex located at 1600 Avon Street Extended, Charlottesville, Virginia (the "Regional Jail") to be operated on behalf of the Member Jurisdictions by the Authority;

WHEREAS, the Authority and the Member Jurisdictions have entered into an Amended and Restated Service Agreement, dated June 9, 2022 (the "Service Agreement"), in which the Authority has agreed to, design, construct and equip the Regional Jail and obtain financing therefor;

WHEREAS, the Authority has been authorized by the General Assembly of the Commonwealth of Virginia in 2023 to obtain significant funding (the "Commonwealth Funds") for eligible costs of certain improvements to the Regional Jail (the "Improvements");

WHEREAS, the Authority proposes to issue a series of financing, including but not limited to, interim financing relating to the design and construction of the Improvements to the Regional Jail and subsequently issue its revenue notes and bonds to provide longer term financing of the same (**the "Obligations"**) a portion of which Obligations are to be repaid with the Commonwealth Funds;

WHEREAS, the Authority's financial advisor, Davenport & Company LLC has advised the Authority that an interim financing of the Obligations would be in the best interests of the Authority given current market conditions and preliminary nature of cost estimates for the Improvements;

WHEREAS, Section 3.1 of the Service Agreement provides that in order for the Authority to issue the Obligations, the governing bodies of each of the Member Jurisdictions are required to approve of the issuance thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:

- 1. It is determined to be in the best interests of the City and its citizens for the City Council as the governing body of the City, to approve the Authority's issuance of the Obligations for interim financing of the Improvements in amount not to exceed \$4,500,000 by adoption of this resolution.
- 2. In consideration of the Authority's undertakings with respect to the issuance of the Obligations, the Chair or Vice-Chair of the City Council, is hereby authorized and directed to execute and deliver such instruments and certificates as deemed appropriate and necessary for the issuance of such Obligations by the Authority, including but not limited to a support agreement or agreements relating to its obligations as a Member Jurisdiction under the Service Agreement.
- 3. The City Manager is hereby authorized and directed to take all proper steps on behalf of the City as may be required, in accordance with the plan of financing set forth above, including, but not limited to, certificates and documents relating to the issuance of the Obligations and the above-referenced support agreement or agreements.

- 4. Nothing contained herein is or shall be deemed to be a lending of the credit of the City to the Authority, or to any holder of any of the Obligations or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the City.
- 5. All actions previously taken by representatives or agents of the City in furtherance of the plan of financing of the Improvements and the issuance of the Obligations are hereby ratified and approved.
- 6. This resolution shall take effect immediately.

10. RESOLUTION: Resolution to Approve Appropriation for the Assignment of Contract to Acquire 510 Caroline Avenue, 532 Caroline Avenue and 0 East High Street (2nd reading)

City Manager Sanders stated that no changes have been made since the first reading of the item. City Attorney Jacob Stroman stated that with Council approval of the resolution, the payment could be wired the next day and on track to close by the end of the month.

On motion by Pinkston, seconded by Puryear, Council by a vote of 5-0 approved the resolution.

RESOLUTION

Resolution to Approve Appropriation for the Assignment of Contract to Acquire 510 Caroline Avenue, 532 Caroline Avenue and 0 East High Street Amount Not To Exceed \$6,000,000

WHEREAS, the City of Charlottesville has agreed to enter into a contract pursuant to which the City will acquire title to 23.81 acres of property from the current owners of 0 Caroline Avenue, 10 Caroline Avenue, 532 Caroline Avenue and 0 East High Street;

WHEREAS, the City of Charlottesville requires appropriation of \$5,900,000 plus closing costs for the acquisition;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that funds in an amount not exceed \$6,000,000 but necessary to pay purchase price plus the closing costs will be paid from the Capital Improvement Program Contingency Account:

Transfer From:

\$ 6,000,000 Fund: 426 WBS: CP-080 G/L Account: 599999

Transfer To:

\$ 6,000,000 Fund: 426 Internal Order: TBD G/L Account: 599999

11. BY MOTION: Thomas Jefferson Planning District Commission (TJPDC) Proposed Legislative Program for 2024

David Blount, TJPDC, presented the Proposed Legislative Program for 2024.

Mayor Snook noted two positions in the legislative program which differ from Council's past positions. First, the legislative program's Environmental and Water Quality section includes a position opposing mandating expansion of the Chesapeake Bay Preservation Act's coverage area. In addition, the legislative program's General Government section includes a position that the principles of sovereign immunity for local governments and their employees should be maintained.

On motion by Pinkston, seconded by Payne, Council voted unanimously to approved the Thomas Jefferson Planning District Commission Proposed Legislative Program for 2024, with the two exceptions noted.

12. BY MOTION: City Council Proposed Legislative Positions for 2024

Mayor Snook summarized the City's legislative positions developed by the Council's Legislative Committee (Lloyd Snook and Leah Puryear), in consultation with the city attorney.

On motion by Pinkston, seconded by Payne, Council voted unanimously to approve the Statement of the City Council's 2024 Legislative Positions as presented by Council's Legislative Committee.

CHARLOTTESVILLE CITY COUNCIL STATEMENT OF LEGISLATIVE POSITIONS FOR THE 2024 REGULAR GENERAL ASSEMBLY SESSION

- A. Expand the Option for a One-Cent Local Sales Tax Increase for Construction and Renovation of Public-School Facilities to All Localities
- B. Continue Funding of Virginia's Home Visiting Programs
- C. Salaries for Members of Local Governing Bodies
- D. Funding for Regional Transit Authorities
- E. Amend Land Use Ordinance Advertisement Laws Which Unduly Restrict Council's Ability to Deliberate
- F. Allow Greater Flexibility for Certain Boards and Commissions to Conduct All-Virtual Meetings
- G. Increasing Affordable Housing Accessibility by Enhancing Tenant Rights

COMMUNITY MATTERS (2)

Mayor Snook opened the floor for comments from the public.

• Kate Fraleigh, city resident, spoke about double bunking in the local jail and average

length of stay. Operational beds and rated capacity beds are different numbers.

ADJOURNMENT

The meeting adjourned at 8:36 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING WORK SESSION MINUTES

November 29, 2023 at 6:00 p.m. City Hall Council Chamber, 605 E. Main Street

The Charlottesville City Council held a special meeting in the format of a work session on Wednesday, November 29, 2023. Mayor Snook called the meeting to order with all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, Councilors Michael Payne, Brian Pinkston and Leah Puryear.

James Freas, Director of Neighborhood Development Services introduced the topic: Draft Zoning Ordinance - Special Deliberations on Zoning Map. He introduced staff and consultants who were available to answer Council questions:

- Missy Creasy, Deputy Director of Neighborhood Development Services
- Jenny Koch, Urban Planner with RHI
- Lee Einsweiler, Principal at Code Studio, and
- Christy Dodson, Associate Principal at Code Studio.

According to a memo from Mr. Freas, dated November 29, 2023: "The Zoning Map defines where the requirements of the Zoning Districts apply. As each district's rules define the intensity of development, in terms of height, massing, and mixture of uses, which in turn relates to the types of homes and businesses that can locate there, these districts effectively define the feel of a neighborhood, the opportunities available there, and what types of households will live there. These districts also define the change in these places over time, as the City evolves and adjusts to meet the changing needs of the community for residential and commercial growth, different types of housing, and community expectations for addressing priorities like climate change, historic preservation and others. The opportunity and challenge of developing the zoning map is in addressing the many different interests and perspectives involved."

Mr. Snook raised questions about the handling of entrance corridors, and the future role of the Entrance Corridor Review Board (ERB). He asked about the criteria around the affordable housing bonus. He stated that the direction of the Draft Zoning Ordinance will cause the loss of architectural appeal for the sake of maximizing capacity as an engineering solution to meet demand.

City Attorney Jacob Stroman stated that the ERB would be able to address massing issues and setbacks.

Attorney Sharon Pandak advised that there is a need to update all guidelines, and that Council should clarify what the ERB can do within the confines of the Zoning Ordinance.

Council discussed the mayor's concerns.

Ms. Puryear expressed concern about displacement in various areas of the city.

Council discussed the need to articulate powers of the ERB in an ordinance, and to use a Special Use Permit process for certain building requests at entrance corridors except the US 29 North corridor, as an interim measure until ordinance parameters are defined and approved by Council. Mr. Freas mentioned the proposed use of the Core Neighborhoods Corridor Overlay.

Ms. Pandak suggested phrasing the architectural appeal guidelines as "harmonious community".

Councilors expressed concerns about allowing commercial uses in residential districts, and a majority agreed to revisit the consideration at a future Zoning Ordinance review.

Council began the discussion about zoning district definitions with a question about the phrase "house-sized development". Mr. Freas stated that restraining the area footprint of a development minimizes flexibility for layout. Ms. Dodson added that several factors influence the guideline of "house-sized" development in the R-A designation. Mr. Snook asked about a discussion from two years ago with the consultants who ensured the plan would be for house-sized development in R-A zones, and he disagreed with 9,000 square feet being considered house-sized development. Definitions of zoning types were also discussed.

The following summary follows a review of specific areas of the Zoning Map, and associated zoning rules, where Councilors requested review of the proposed zoning. Council provided guidance to staff on zoning rules to apply for these areas.

- Plymouth Road: As an implementation of the Medium Intensity Land Use, the R-B zoning in the area of Plymouth Road is intended to introduce a housing type that can be more affordable than single family homes, diversifying the housing available in this area. The Medium Intensity designation here likely stemmed from the access to Greenleaf Park.
- Davis Avenue: Davis Avenue, and its parallel street, Watson Avenue, have lots and infrastructure that can readily accommodate the proposed R-B zoning designation. The Comprehensive Plan identified this area as Medium Intensity because of the access to Davis Field and associated park space with the intention of introducing a housing type that can be more affordable than single-family homes, diversifying the housing available in this area.
- Jefferson Park Avenue (JPA): Dating back as far as the 2003 Comprehensive Plan and associated zoning amendments, the area along JPA has been identified for more intensive development to accommodate student housing. The current zoning allows up to 8 or 9 stories by special use permit for those lots fronting JPA while the side streets are zoned for two-unit buildings. The proposed zoning is for up to 5 stories (7 with affordable housing bonus) along JPA, with 8 stories at key intersections (10 with affordable housing bonus). The side streets are proposed for 3 stories (5 with affordable housing bonus).
- Rugby Avenue: Rugby Avenue is a key corridor connecting Preston, Rose Hill Drive, and
 the Route 250 bypass and is appropriately designated as Medium Intensity in the
 Comprehensive Plan. The mapping logic methodology for designating the R-C district
 identified the intersections of streets designated as neighborhood A streets or higher, which
 includes both the intersection of Rugby Avenue and Rose Hill as well as Rugby Avenue

- and Rugby Rd/Preston Ave. The methodology calls for the R-C designation to extend 600 feet or to the next cross street.
- Orange Street: The East High Street corridor is proposed for CX-5. This zoning designation reaches a couple of lots down Orange Street. Council could limit the CX-5 designation to just the first lot on the corner of E. High and Orange and put the following two lots in the R-A district matching the designation of the remainder of the street.
- Preston Ave: Preston Avenue between 10th Street and Rugby Road is another significant road that had been identified for multi-unit development. Much of this area is already zoned for that type of use in the current ordinance. There are three small lots on Rosser Street proposed for RX-3 that Council may want to consider shifting to the R-A designation, consistent with the remainder of the street.
- Locust & Calhoun: The R-C designation at this location is the result of the mapping logic methodology, which identified corner lots at lower intensity intersections within the Medium Intensity land use areas. If Council would like to change the zoning designation, the next option would be R-B.
- Transitions: There are two types of transitions used where higher intensity districts abut lower intensity districts.
 - 1. Common Lot Line where the transition occurs along the back or side lot line, the higher intensity property must incorporate setbacks, landscaping, and stepbacks to manage the transition.
 - 2. Across Street where the transition occurs across a street, the higher intensity property utilizes stepbacks. A key difference in these transitions is that in these districts, there is still an interest in achieving a strong "streetwall", which is a defined and consistent edge close to the pedestrian zone that supports the sense of safety and comfort for pedestrians. Therefore, the setback remains 5 to 15 feet in the RX districts and 0 to 10 feet in the CX and NX districts. Significantly, the setbacks are measured after allocating space for the required streetscape, which includes sidewalk and greenzone (trees). The total width for the required streetscape is based on the street type, with the narrowest in the code being 11 feet. With this requirement, every 'across the street transition' effectively includes a minimum 6-foot-wide sidewalk and a row of street trees in a minimum 5-foot "greenscape zone".
- Gateway Areas: Many of the roadways entering the City are proposed for greater heights/higher intensities close to or at the entrance. This result is a reflection of two ideas that guided aspects of the land use map. One of these ideas reflects the urban design principle of marking key intersections with taller buildings and greater intensity of use. Some of these key intersections happen to be near the city borders such as the intersection of E. High and Long Street, which is proposed for CX-8. The other idea was to take advantage of the large suburban style commercial strip malls that are under single ownership and therefore potentially more easily developed with mixed use buildings.

Consideration of redeveloping these locations with more mixed-use urban environments has been a consistent theme since the Comprehensive Plan process began in 2017.

Ms. Pandak clarified that the proposed Zoning Ordinance does not recommend downzoning in any area.

The meeting adjourned at 9:48 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CHARLOTTESVILLE CITY COUNCIL MINUTES

Joint Public Hearing with Planning Commission January 9, 2024 at 6:00 p.m. Council Chamber, 605 E. Main Street

The Charlottesville City Council met for a joint public hearing with the Charlottesville Planning Commission. Mayor Juandiego Wade called City Council to order following the Planning Commission opening of the public hearing portion of their regular meeting. The following Council members were present: Natalie Oschrin, Brian Pinkston, Lloyd Snook and Juandiego Wade.

Commissioner Habbab recused himself from participating in the public hearing based on his employment.

City Council and the Planning Commission heard a presentation from Budget Director Krisy Hammill regarding the Charlottesville Capital Improvement Program (CIP) for Fiscal Years 2025-2029 for consideration in the areas of Affordable Housing, Education, Public Safety & Justice, Facilities Management, Transportation & Access, Parks & Recreation, and Technology Infrastructure. She stated that the presentation was also made at a Planning Commission meeting in November 2023.

Steven Hicks, Interim Public Works Director, answered questions about climate action components of the CIP.

When asked about the cost of a homelessness strategy, City Manager Sam Sanders provided information about multiple projects and ongoing work to determine the scope of needs, and he stated that a composite cost has not yet been determined. He answered additional questions about Central Library renovations, Walker Upper Elementary School, and restrooms in city parks.

Council was asked whether they had questions before opening the public hearing. Mr. Snook and Mr. Pinkston suggested putting funds away in preparation for updates that will be needed for Walker Upper Elementary School. Mr. Pinkston also suggested getting the design done for Central Library renovations within the next couple of years. Ms. Oschrin asked about the Riverview Park restroom, a list of tree plantings, the bailer facility for the Solid Waste Authority, climate action initiatives and a number of other line items.

Chair Hosea Mitchell opened the public hearing.

- David Plunkett, Director of Jefferson Madison Regional Library, asked for consideration of including the Central Library renovation in the five-year CIP.
- Elizabeth Stark, city resident, suggested examining ways to take more control of the city's housing future by investing in land banks and land trust housing.
- Peter Krebs, Piedmont Environmental Council, shared ideas for improving bike and pedestrian infrastructure.
- Perri Meldon, city resident, suggested that the city invest in a land bank/land trust initiative.

Chair Mitchell closed the public hearing and the Planning Commission deliberated, moving the CIP forward to Council with recommendations to increase sidewalk funding to pre-pandemic levels and including Central Library renovations. City Council business concluded at 7:12 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

School Board / City Council Joint Work Session January 10, 2024 at 5:00 p.m.

Walker Upper Elementary School Cafeteria, 1564 Dairy Road, Charlottesville, VA

The January 10, 2024 joint work session of the Charlottesville City Council and the Charlottesville City School Board was called to order by Chair Lisa Torres at 5:00 p.m.

Deputy School Board Clerk Leslie Thacker called the roll for School Board Members, establishing a quorum, and Clerk of Council Kyna Thomas called the roll for City Council, noting the following members present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilor Michael Payne. Councilors Oschrin and Snook arrived before the first item for discussion was introduced.

Chair Torres called a vote for agenda approval, and the agenda was adopted unanimously.

Mayor Wade introduced city staff. Dr. Royal Gurley introduced Schools staff and the discussion items:

Charlottesville-Albemarle Technical Education Center (CATEC): Kim Powell, Chief Operations Officer, provided an update on Charlottesville-Albemarle Technical Education Center (CATEC). She reviewed transition items that have been completed since closing the acquisition in July 2023. She reviewed slot reservation and tuition information, items in progress and next steps, and answered clarifying questions for Council.

Knight School: Lamont Trotter, Program Director, provided an introduction and overview of Knight School, an alternative educational option for students in need of additional support that cannot be offered at Charlottesville High School or Lugo-McGinness Academy. The program was launched on November 27, 2023, and is conducted at the Lugo-McGinness Academy. The program works with various community groups as resources. Fourteen students are enrolled in the program and the goal is to provide wrap-around support services for thirty students within the limited space of the Academy. Dr. Gurley and Mr. Trotter answered questions from Council.

Pre-K Center: Regarding the Pre-K Center, Dr. Gurley provided an overview of recent Capital Improvement Plan presentation made by Construction Manager Michael Goddard to the School Board. Chair Torres explained that as follow-up to the Capital Improvement request made a couple of years ago, where City Council agreed to fund renovations to Buford Middle School, the School Board is asking to place Walker Upper Elementary School into the Capital Improvement program, as was previously presented.

Mr. Goddard provided background information and a high-level project scope, stating that it would be a good idea to set aside approximately \$27 Million. Krisy Hammill, City Budget Director, provided input on budget and bond capacity and stated that the current Capital Improvement Plan is aggressive. City Manager Sanders stated that City Council will need to make big decisions and reconcile the list of priorities that are demanding budget dollars.

After discussion, it was agreed that budget considerations will be discussed at the February 7 scheduled joint budget work session with City Council and the School Board, including recent news about State funding.

Chair Torres opened the floor for comments from members of the community. There were no speakers.

The meeting adjourned at 6:41 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Appropriation of the \$16,768 for the FY23 State Criminal Alien Assistance Program

(SCAAP).

Presenter: Taylor Harvey-Ryan, Grants Program Manager

Staff Contacts: Taylor Harvey-Ryan, Grants Program Manager

Title: Resolution to appropriate funding from the FY23 State Criminal Alien

Assistance Program (SCAAP) Grant for Albemarle Charlottesville

Regional Jail - \$16,768 (2nd reading)

Background

The City of Charlottesville has received the State Criminal Alien Assistance Program Grant (SCAAP), on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$16,768. These are federal funds to reimburse the Albemarle-Charlottesville Regional Jail for Fiscal Year 2023 expenses of housing convicted alien inmates. Albemarle County is appropriating funds received under the same program that will also be passed through to the Regional Jail.

Discussion

The State Criminal Alien Assistance Program (SCAAP) provides federal payments to states and localities that incur correctional officer salary costs for incarcerating certain undocumented criminal aliens. The award amount is based on the number of undocumented persons incarcerated at the Albemarle-Charlottesville Regional Jail. As this is not a one-time grant, the Jail will receive future payments from the City as they are granted.

Alignment with City Council's Vision and Strategic Plan

These funds align with City Council's Vision for a Smart, Citizen-Focused Government -- Acceptance of these funds will support quality services at our Regional Jail and will help ensure that services are provided in the most efficient and cost-effective way to citizens.

These funds also support the City of Charlottesville's 2023 City Council Strategic Plan Framework's Strategic Outcome Area, Public Safety, which indicates "Charlottesville provides comprehensive, trusted public safety services and treats everyone with dignity and respect".

Community Engagement

N/A

Budgetary Impact

There is no budgetary impact as 78% of these funds will be passed through directly to the Regional Jail. The remaining 22% will be sent to Justice Benefits, Inc., which provides administrative support for the regional jail.

Recommendation

Staff recommends approval and appropriation of funds to the Regional Jail.

Alternatives

N/A

Attachments

1. SCAAP_Regional Jail appropriation 2023 Resolution

RESOLUTION APPROPRIATING FUNDS State Criminal Alien Assistance Program (SCAAP) Grant for 2023 reimbursement \$16,768

WHEREAS, the State Criminal Alien Assistance Program (SCAAP) grant, providing federal payments for correctional officer salary costs incurred for incarcerating certain undocumented criminals has been awarded the City of Charlottesville, on behalf of the Albemarle-Charlottesville Regional Jail, in the amount of \$16,768.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of \$13,079.04 be appropriated and passed through to the Albemarle-Charlottesville Regional Jail and \$3,688.96 be appropriated and passed through to Justice Benefits, Inc.

Revenues

\$16,768 Fund: 211 Internal Order: 1900543 G/L Account: 431110

Expenses

\$13,079.04 Fund: 211 Internal Order: 1900511 G/L Account: 530550 \$3,688.96 Fund: 211 Internal Order: 1900511 G/L Account: 530670

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$16,768 from the U. S. Bureau of Justice Assistance.

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Approve Resolution

Presenter: Samuel Sanders, Jr., City Manager

Staff Contacts: Samuel Sanders, Jr., City Manager

Alexander Ikefuna, Director of Community Solutions

Title: Resolution to appropriate funding from the Capital Improvement Plan

Contingency Account to Virginia Supportive Housing for Premier Circle

PSH - \$750,000 (2nd reading)

Background

The Virginia Supportive Housing (VSH) is proposing to redevelop a property located at 405 Premier Circle, on Route 29. This is a Low-Income Housing Tax Credit (LIHTC) project.

Discussion

This proposal would potentially pre-empt the tendency for the property to slip to another buyer, which could result in a market rate or commercial development. The project is a mixed income project and would provide 80 permanent affordable housing units for very low-income households; 12 units at less than 40% AMI, and 68 units at incomes between 40% and 50% AMI. The project currently has a funding shortfall of \$1.5 million. The City and Albemarle County have agreed to split the funding gap in half and staff is requesting the City Council to approve a resolution appropriating \$750,000 from the Capital Improvement Plan Contingency Account to the Virginia Supportive Housing (VSH) to enable the redevelopment of the Premier Circle. The Piedmont Housing Alliance (PHA) owns the land, but VSH is the developer. The project cost is estimated at approximately \$24 million. The City Council approved \$186,722 for this project in FY 2023 under the Charlottesville Affordable Housing Fund (CAHF) allocation process. Construction is scheduled to start in May of 2024.

Alignment with City Council's Vision and Strategic Plan

This request aligns with the following:

Provisions in the 2021 Affordable Housing Plan.

2023 adopted Comprehensive Plan Guiding Principles

- Equity & Opportunity All people will be able to thrive in Charlottesville.
- Community Culture and Unity Charlottesville's rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued, and respected.

2023 City Council Strategic Plan Framework:

- Housing Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.
- Partnerships Charlottesville creates avenues for meaningful collaborations with partners and key stakeholders, such as the County, UVA, and nonprofits, to magnify positive community outcomes.

Community Engagement

There have been several community engagement meetings and activities conducted as part of the comprehensive plan update and affordable housing planning process. City staff has also been engaged with the development partners on a regular basis regarding funding activities, including exploring ways to spur affordable housing for the homeless population.

Budgetary Impact

The cost for this request is \$750,000, which is already budgeted in the CIP contingency account.

Recommendation

The City Manager and Staff recommend that the City Council approve the proposed request to use part of the CIP contingency fund to support the Premier Circle project. The agreement between the City and County to bridge the funding gap is a clear indication of community-wide interest in collectively solving the housing problem for the homeless population.

<u>Alternatives</u>

Council may elect not to approve the recommendations, which would have a negative effect on the City's goal of building affordable housing for the needy households and homeless population.

Attachments

1. Resolution \$750,000 Supportive Housing for Premier Circle

RESOLUTION

Resolution to Appropriate funding from the Capital Improvement Plan Contingency Account to Virginia Supportive Housing for Premier Circle \$750,000

WHEREAS, the City of Charlottesville, VA in partnership with Albemarle County has agreed to provide additional funding to Virginia Supportive Housing for the Premier Circle project; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that additional funding of \$750,000 be appropriated from the Capital Improvement Program Contingency Account.

Expenditure:

\$ 750,000 Fund: 426 WBS: CP-080 G/L Account: 540100

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Adoption of Ordinance

Presenter: Todd Divers, Commissioner of the Revenue

Staff Contacts: Jason Vandever, City Treasurer

Title: To amend, re-ordain, and re-enact Chapter 30, Article 4 of the City Code

(Real Estate Tax Relief for the Elderly and Disabled Persons) to move

application/certification deadline to April 1

Background

Chapter 32, Article 2 of the Code of Virginia (§58.1-3210 et seq) authorizes cities, counties, and towns to provide by ordinance "for the exemption from... taxation of real estate and manufactured homes as defined in § 36-85.3, or any portion thereof, and upon such conditions and in such amount as the ordinance may prescribe". Charlottesville's ordinance, found in Chapter 30, Article IV of the Charlottesville City Code, establishes the parameters and conditions under which the City offers Real Estate Tax Relief for Elderly and Disabled Persons (RETR).

Discussion

As currently administered by the Commissioner of the Revenue, the RETR program requires filing on a three-year cycle with an annual recertification in the intervening two years. The annual application/certification deadline for renewing applicants (barring a medical extension) is currently March 1. After consultation with- and assurances from the Treasurer's Office that they will have sufficient time before real estate tax bills must go in the mail to apply grants to qualifying accounts, we propose moving the deadline to April 1 of each year.

Alignment with City Council's Vision and Strategic Plan

This change aligns with the City's Strategic Outcome Areas of **Economic Prosperity**, **Housing**, and **Organizational Excellence**.

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

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

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

Community Engagement

Our outreach efforts and meetings with neighborhood groups have demonstrated a clear desire on the part of constituents to increase the duration of the application period. This proposal is an attempt to accommodate that desire.

Budgetary Impact

None

Recommendation

Adoption of the proposed ordinance. It is requested that Council vote and enact this ordinance on First Reading (see "Section 2" of the ordinance, last page), by four-fifths vote of Council.

Suggested Motion: "I move the ORDINANCE to amend, re-ordain, and re-enact Chapter 30, Article 4 of the City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) to extend the annual application/certification period to April 1".

<u>Alternatives</u>

Council could elect to leave the program unchanged.

Attachments

1. Proposed ORD Amend RETR 2024

ORDINANCE

TO AMEND, RE-ORDAIN, AND RE-ENACT CHAPTER 30, ARTICLE IV OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED (REAL ESTATE TAX RELIEF FOR THE ELDERLY AND DISABLED PERSONS) TO MOVE APPLICATION/CERTIFICATION DEADLINE TO APRIL 1

WHEREAS applicants, neighborhood associations, and housing advocates have expressed a desire for elderly and disabled real estate relief applicants to have more time to submit applications or certifications for relief; and

WHEREAS the Commissioner of the Revenue and the Treasurer have determined that a later due date will not interfere with the Treasurer's duty to mail real estate bills in a timely fashion after having applied grants to qualifying real estate tax accounts; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, THAT:

Section 1. <u>Chapter 30 (Taxation) of the Code of the City of Charlottesville (1990), as amended, Article IV, is hereby amended, re-ordained and re-enacted, as follows:</u>

ARTICLE IV. REAL ESTATE TAX RELIEF FOR THE ELDERLY AND DISABLED PERSONS

Sec. 30-96. Definitions.

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

Applicant means and refers to a claimant applying for tax relief under the provisions of this article.

Area median family income (MFI) means and refers to the median family income most recently established by the United States Department of Housing and Urban Development (HUD) for the Charlottesville, Virginia Metropolitan Statistical Area, rounded up to the nearest five thousand dollars (\$5,000.00).

Claimant refers to an individual entitled to claim an exemption under this article.

Certification means a signed written statement attesting to the accuracy of information provided by the applicant.

Combined household income means:

- (1) The adjusted gross income, as shown on the federal income tax return as of December 31 of the calendar year immediately preceding the taxable year, of the applicant and all relatives living in the same dwelling, and of any other person who is an owner of and resides in the applicant's dwelling; or
- (2) For applicants for whom no federal tax return is required to be filed, the income for the calendar year immediately preceding the taxable year: of the applicant and of any other relatives who reside in the applicant's dwelling, and of any other person who is an owner of and resides in the applicant's dwelling.

The commissioner of revenue shall establish the combined household income of persons for whom no federal tax return is required through documentation satisfactory for audit purposes.

Dwelling means the sole place of residence of a claimant; provided, however, that the fact that a person who is otherwise qualified for tax exemption by the provisions of this article is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care for an extended period of time shall not be construed to mean that the real property for which exemption is claimed is not the sole place of residence of such individual while they are in any such facility, so long as the real property in question is not used by, or leased to, others for consideration.

Exemption means the percentage exemption from the property tax imposed by the city allowable under the provisions of this article.

Owner means and refers to an individual in whom is vested:

- (1) All or part of the legal title to real property; or
- (2) All or part of the beneficial ownership of real property and a right to present use and enjoyment of such real property.

Permanently and totally disabled, as applied to a person claiming an exemption under this article, means a person furnishing the certification or medical affidavits required by section 30-99, and who is found by the commissioner of revenue to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

Person means and refers to a natural person (i.e., an individual).

Taxable year means the calendar year, from January 1 through December 31, for which property tax exemption is claimed under this article.

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(Code 1976, § 10-36; 5-7-90, § 1; 3-3-03(4), § 1; 10-7-19(1); Ord. No. O-22-140, § 1, 11-7-22)
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Cross reference(s)—Definitions and rules of construction generally, § 1-2.

State law reference(s)—Provisions similar to the provisions in the above definition of "dwelling," Code of Virginia, § 58.1-3214; similar definition of "permanently and totally disabled," § 58.1-3217.

Sec. 30-97. Purpose of article.

It is hereby declared to be the purpose of this article to provide real estate tax exemptions for qualified property owners who are not less than sixty-five (65) years of age or permanently and totally disabled and who are otherwise eligible according to the terms of this article. Pursuant to the authority of Virginia Code § 58.1-3210, the city council finds and declares that persons qualifying for exemption hereunder are bearing an extraordinary real estate tax burden in relation to their income.

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(Code 1976, § 10-37; 5-7-90, § 1; Ord. No. O-22-140, § 1, 11-7-22)
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State law reference(s)—Similar provisions, Code of Virginia, § 58.1-3218.

Sec. 30-98. Qualifications for exemption.

Residential real property shall qualify for exemption pursuant to this article if the owner and the property satisfy the following requirements:

- (1) The ownership of the residential real property for which exemption is claimed must be with a claimant as of January 1 of the taxable year for which such exemption is claimed. If the real estate for which exemption is claimed consists of a lot containing a manufactured home, as defined in Virginia Code § 36-85.3, the claimant must be the owner of both the lot and the manufactured home.
- (2) As of January 1 of the taxable year and on the date a claim for exemption is submitted, the claimant must occupy the real property for which the exemption is sought as their sole place of residence (dwelling) and must intend to occupy the real property as such throughout the remainder of the taxable year. A claimant who is residing in a hospital, nursing home, convalescent home, or other facility for physical or mental care shall be deemed to meet this condition so long as their dwelling is not being used by or leased to another for consideration.
- (3) Reserved.
- (4) The claimant must be sixty-five (65) years of age or older, or permanently and totally disabled, as of December 31 of the year immediately preceding the taxable year for which the exemption is claimed.
- (5) The combined household income of such claimant must not exceed an amount equivalent to fifty (50) percent of area median family income. Provided, however, that, if a claimant can prove by clear and convincing evidence that the only alternative to their having to permanently become a resident of a hospital, nursing home, convalescent home or other facility providing physical or mental care is to have said claimant's relative reside within the claimant's dwelling and provide care for the claimant, then that relative's income shall be excluded from the income calculation.
- (6) Neither an applicant, nor an applicant's spouse who resides within the same dwelling, shall be an owner of any other real property.
- (7) For real property jointly owned by two (2) or more persons, not all of whom are at least age sixty-five (65) or permanently and totally disabled; provided that the property is the dwelling of all such joint owners, the tax exemption for the real property shall be prorated by multiplying the amount of the exemption by a fraction that has, as a numerator, the percentage of ownership interest in the dwelling held by all such joint owners who are at least age sixty-five (65) or permanently and totally disabled, and as a denominator, one hundred (100) percent. The provisions of this subsection shall not apply to married persons who are joint owners of a dwelling, when there are no other joint owners.
- (8) An applicant who is delinquent on any portion of the real estate taxes due with respect to the real property to which the exemption is to be applied must be in good standing on a payment plan with the treasurer's office with the aim of paying off said delinquency in a period not exceeding twelve (12) months.

(Code 1976, § 10-38; 5-7-90, § 1; 2-19-91; 6-1-92; 11-21-94; 6-4-01(4), § 1; 3-3-03(4), § 1; 4-19-04(1), § 1; 11-15-04(1), § 5; 9-7-21(1), § 2; Ord. No. O-22-140, § 1, 11-7-22)

State law reference(s)—Similar provisions and authority of city as to income, net worth, etc., requirements, Code of Virginia, §§ 58.1-3210—58.1-3212.

Sec. 30-99. Application for exemption, annual certification.

- (a) In the first year for which exemption is sought, and every third year thereafter, every person claiming an exemption under this article shall file an application with the commissioner of revenue of the city setting forth the basis for their claim of exemption. In each of the two (2) years between their filing of such applications, if no circumstances relevant to determination of eligibility for the exemption has changed, the applicant shall certify that; however, if an applicant's circumstances have changed to affect their eligibility for exemption, the applicant will need to file a new application. The date for filing such an application or certification shall be no later than March April 1 of the taxable year, but may be extended by the commissioner of revenue to July 1 of a taxable year for a first-time applicant and to July 1 of each taxable year in a hardship case in which the commissioner of revenue determines that the applicant was unable to file by March April 1 of the particular taxable year because of illness of the applicant or confinement of the applicant in a nursing home, hospital, or other medical facility or institution.
- (b) The application shall set forth the names of the related persons occupying the real property for which exemption is claimed, the name of any other person who is an owner of and resides in the dwelling on the property, and the combined household income of all such persons. The form of such application or certification shall be determined by the commissioner of revenue, and shall contain such other information as may be required adequately to determine compliance with the provisions of section 30-98.
- (c) If the person filing an application for exemption under this section is under sixty-five (65) years of age, the application shall have attached thereto proper documentation by the Social Security Administration, veteran's administration or the railroad retirement board that the person has been certified as being permanently or totally disabled as defined by those agencies, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two (2) medical doctors licensed to practice medicine in the commonwealth, to the effect that the person is permanently and totally disabled, as defined in section 30-96. The affidavit of at least one (1) of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one (1) of the doctors may be based upon medical information contained in the records of the civil service commission which is relevant to the standards for determining permanent and total disability as defined in section 30-96.
- (d) In addition, the commissioner of revenue may make such further inquiry of persons seeking to claim exemptions requiring answers under oath and the production of certified tax returns, as may be deemed reasonably necessary to determine eligibility for an exemption.

(Code 1976, § 10-39; 11-21-94; 10-7-19(1); Ord. No. O-22-140, § 1, 11-7-22)

Editor's note(s)—Ord. No. O-22-140, § 1, adopted Nov. 7, 2022, amended § 30-99 in its entirety to read as herein set out. Former § 30-99 pertained to applicant's affidavit and certificate of disability, and derived from the Code of 1976, § 10-39; an ordinance adopted Nov. 21, 1994; and an ordinance adopted Oct. 7, 2019.

State law reference(s)—Similar provisions, Code of Virginia, § 58.1-3213.

Sec. 30-100. Certification by commissioner; deductions from real estate tax.

The commissioner of revenue, after audit and investigation, shall certify a list of the persons and property qualifying for exemption under this article and the amount thereof to the city treasurer, who shall forthwith deduct the amounts of such exemptions from the real estate tax chargeable for the taxable year to such persons and property.

(Code 1976, § 10-39; Ord. No. O-22-140, § 1, 11-7-22)

Sec. 30-101. Calculation of amount of exemption.

The amount of the exemption granted pursuant to this article shall be a percentage of the real estate tax assessed for the applicable taxable year in accordance with the following formulas using area median family income:

- (1) An approved applicant whose combined household income is between zero dollars (\$0.00) and thirty (30) percent of MFI shall receive an exemption equivalent to one hundred (100) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed.
- (2) An approved applicant whose combined household income is greater than thirty (30) percent of MFI, but no more than forty (40) percent of MFI, shall receive an exemption equivalent to eighty (80) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed.
- (3) An approved applicant whose combined household income is greater than forty (40) percent of MFI, but no more than forty-five (45) percent of MFI, shall receive an exemption equivalent to sixty (60) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed.
- (4) An approved applicant whose combined household income is greater than forty-five (45) percent of MFI, but no more than fifty (50) percent of MFI, shall receive an exemption equivalent to forty (40) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed.

(Code 1976, $10\text{-}40; 5\text{-}7\text{-}90, \ 1; 11\text{-}21\text{-}94; 3\text{-}3\text{-}03(4), \ 1; 4\text{-}19\text{-}04(1), \ 1; 10\text{-}7\text{-}19(1); Ord. No. O-22\text{-}140, \ 1, 11\text{-}7\text{-}22)$

State law reference(s)—Amount of exemption or deferral to be as prescribed by ordinance, Code of Virginia, § 58.1-3210.

Sec. 30-102. Effect of changes in status.

Changes with respect to income, ownership of property or other factors occurring during the taxable year and having the effect of violating or exceeding the limitations and conditions of section 30-98 shall result in a prorated exemption for the then current taxable year.

(Code 1976, § 10-41; Ord. No. O-22-140, § 1, 11-7-22)

State law reference(s)—Similar provisions, Code of Virginia, § 58.1-3215.

Sec. 30-103. Filing false claims.

It shall be unlawful and a Class 1 misdemeanor for any person to falsely claim an exemption under this article.

(Code 1976, § 10-42; Ord. No. O-22-140, § 1, 11-7-22)

Editor's note(s)—Ord. No O-22-140, § 1, adopted Nov. 7, 2022, repealed the former § 30-103 and renumbered former § 30-104 as § 30-103 as set out herein. Former § 30-103 pertained to payment of deferred taxes; interest; liens, and derived from the Code of 1976, § 10-41.1. The historical notation has been retained with § 30-103 for reference purposes.

Cross reference(s)—Penalty for Class 1 misdemeanor, § 1-11.

Secs. 30-104—30-125. Reserved.

Section 2. <u>The requirement of City Code Sec. 2-97 for a second reading of this ordinance is hereby waived, and this ordinance shall be and become effective upon its adoption by a recorded four-fifths vote of City Council.</u>

NEIGHBORHOOD LEADERS MEETING

Thursday, December 21, 2023, 5:30 – 7PM OUESTIONS AND RESPONSES

Little High Neighborhood Association

Affordable housing issues

One of the key factors that is making the affordable housing shortage in Charlottesville worse is that a lot of housing is being purchased by investors rather than by people seeking a place to live. People looking for a place to live are at a serious disadvantage vis a vis people or companies buying housing as a second home or as a business investment. In Little High we've seen several cases where an investor buys a house, and it stays empty and unused for years afterward. Housing investors can afford to do this in part because state and federal tax codes offer generous write-offs for business losses.

(1) What can the city do to level the playing field between these two very different types of housing buyers?

Response: The city is trying to balance the scales between investors and homebuyers by taking steps like providing subsidies, improving governance, and making changes to zoning laws. One way the city is doing this is by supporting affordable housing programs that offer down payment assistance through the CAHF fund and subsidy layering for rental/multi-family development. OCS Housing staff is actively leading efforts to create a tool to prevent displacement and is considering initiatives to give locals and long-term renters the first chance to buy new homes, especially those they currently live in. These efforts have been made possible by the addition of a Housing Program Manager, Housing Compliance Coordinator, and other supporting staff within the city's OCS and City departments.

(2) What can the city do to encourage people or companies to make actual use (as in offer them for rent or sell them to someone looking for a place to live) of empty and unused housing?

Response: The city recognizes opportunity here for sure. First across several data collection strategies, the city is working to identify where these properties are and their status. Beyond that the city's Housing Operations & Program Support Grant, is certainly responsive to applications/partnership models with local housing nonprofits, creating support for programs that turn vacant properties into affordable housing options. OCS Housing staff is actively vetting a vacancy tax incentive program of service similar to Richmond, VA, has considered. Perhaps inclusive of a policy that would direct the tax collected to seed/fund the CAHF and also the option of offer tax incentives or subsidies to property owners who rent out vacant homes, especially if they are rented at affordable rates. The city also supports employer and faith-based sponsored housing development.

(3) How is the city currently handling the issue of houses being used primarily or even exclusively as **short-term rentals**? There are at least three such properties near 13th Street NE and Meriwether Street in which the property owner is not residing on the property. Is the city concerned about situations like this?

Response: The Zoning Ordinance requires that operators of short-term rentals live on premises. We actively enforce these violations – these violations now represent the majority of our zoning enforcement work. Please send the addresses to our Zoning Administrator, Read Brodhead at brodheadr@charlottesville.gov. He will begin an investigation.

(4) Is the city doing anything or considering anything to encourage people who own more than one home in Charlottesville to rent these out at affordable rates? We've had situations in our neighborhood where someone rented out a house for years at a very affordable rate and then got tired of dealing with the hassles of being a landlord and turned the property over to a rental company that then raised the rent dramatically (specific example: a house on 13th Street NE was being rented for \$800/month up until August 2021. The landlord turned it over to a rental company and the rent jumped to \$1,500/month). Can the city provide incentives to small landlords who rent out one or two properties to make them available at affordable rates?

Response: OCS Housing Program staff is vetting the development of various incentives to encourage small landlords to offer affordable housing. These could include property tax breaks, grants for maintenance, or streamlined processes for landlords who keep rents affordable. By recognizing the challenges faced by small landlords, the city can encourage them to maintain or even lower rents, which will ultimately contribute to the affordable housing stock. One model currently under review is a framework/ approach is 'Landlord Support Initiative Trust' model. This model/hypothetical program if approved and implemented could provide financial and advisory support to small landlords committed to offering affordable housing. The trust could also serve as a resource for best practices, financial assistance, and regulatory guidance, thereby encouraging small landlords to actively participate in the city's affordable housing efforts. The City has also provided funding to CRHA to acquire such properties when the opportunity arises and retain them as affordable housing in permanently.

The New Zoning Code

(5) As the new zoning code goes into effect, many individual rental properties that have been available at more or less affordable rates in recent years will be lost (e.g., a small house with two rental units on Meriwether Street will be converted into a triplex. The current renters will be obliged to move out but then will not be able to afford to rent one of the new triplex units; likewise, several low-income renters just off East Market Street will be displaced by two new luxury housing projects that will take down old housing and these residents will not be able to afford to remain the neighborhood once construction begins). Will the city keep track of the number of low-income residents obliged to move out of the city due to gentrification projects? Will anything be done to try to prevent low-income people living in our neighborhood from being displaced and pushed out of the city?

<u>Response</u>: The City will be monitoring the impact of new developments on low-income residents and will use regular data runs and reports from various sources, such as the market, NDS, and third-party providers, to track displacements and ensure that new developments include affordable units. Additionally, the Housing Program Manager, specifically is charged with supporting the City's development of programs and policies to protect low-income residents, such as the right to return, tenant protection laws, and inclusionary zoning, to mitigate displacement.

(6) If a resident has a specific concern or grievance about a specific aspect of the new zoning code (once passed) that directly affects them, who can they contact?

Response: The resident could contact Neighborhood Development Services.

(7) How will the city ensure that the **affordable housing requirement**s in the new zoning code are being met on a project-by-project basis?

Response: With the introduction of the new zoning code, Charlottesville is also implementing an Affordable Dwelling Unit Manual. This manual, pending approval by the council, outlines the responsibilities of developers in complying with the zoning code and the duties of city staff in ensuring this compliance. To bolster these efforts, the city's Office of Community Solutions has recently expanded, adding key positions like a Housing Program Manager and a Housing Compliance Coordinator. These roles, emerging from recommendations in the affordable housing plan, underscore the city's commitment to enhanced tracking and enforcement of affordable housing requirements. This structured approach—combining clear guidelines, increased staffing, and focused roles—aims to effectively monitor and ensure that developers meet their obligations in providing affordable housing, maintaining a balance between growth and housing equity in Charlottesville.

(8) As **parking** becomes less available as the city grows and parking requirements are scaled back, what will the city do to guarantee that all residents have equal access to every part of the city? Specifically, what will the city do to comply with the **Americans with Disabilities Act** to ensure that people who rely on cars for their transportation needs have the same access to the city as able-bodied residents who are able to navigate the city on foot or on a bike?

Response: The provision of safe and efficient access for all users is a key transportation goal of our Comprehensive Plan. The design requirements in the draft development code will improve access to new developments for bicycles and pedestrians and meet ADA requirements. While the requirements for off-street parking are eliminated in the City's draft development code, developers will continue to supply off-street parking to the degree that the market for real estate demands it, as has been the case in other cities around the country that have eliminated minimum off-street parking requirements. To manage changes in demand for on-street parking, Neighborhood Development Services will be initiating a parking study in early 2024, which will review the existing parking permit program, particularly in residential neighborhoods, as well as the regulations governing curb spaces for loading zones, paid parking areas, timed parking

spaces, and handicap parking spaces. Currently, the City is working to complete its ADA Transition Plan, which will identify infrastructure and policy improvements that would address ADA compliance concerns throughout the City, including making our pedestrian network and public facilities more accessible to all users.

(9) Following New York City's experience with **ebikes** in just the last couple of years (the batteries in ebikes are a known fire hazard, so many buildings have banned them outright because of liability issues), is the city contemplating regulating or restricting ebikes in high density apartment / condominium buildings?

Response: Charlottesville Fire Department has discussed e-bikes, e-scooters, and other large lithium-ion batteries. Virginia has not allowed the Virginia Statewide Fire Prevention Code (VFPC) or Building Code to ban the storage of these items. Localities in VA have not banned the storage yet. At some point, multi-family and mixed-use may not allow the charging of these items inside a residential area. CFD has suggested to some builders to make sure that bike storage rooms have sprinkler coverage that would suppress a large battery fire. One has even added an additional fire rating to that room off the garage for safety. As we work with property management companies and building owners, we can suggest the language in the lease not to allow them inside the residential area.

UVA has tried to educate the students not to store them inside to charge and not to allow them in the UVA dorms.

CFD and Albemarle County are working on an education campaign to have messaging on the risks with these items.

- (10) The city is currently planning to increase density and pledging to reduce carbon emissions. Good **sidewalks** are key to both of these goals. What is Charlottesville doing to fix its inadequate sidewalks? (For a look at the shameful lack of sidewalks in our neighborhood, please see https://littlehighneighborhood.org/photos/our-sidewalks/)
- (11) How will the city try to ensure the integrity and sustainability of existing neighborhoods in its rush to build higher and higher while ignoring how proposed projects fit into existing environments (e.g., 1101 East Jefferson St)?

Response: The city has established citywide Development Review Team (DRT) that is composed of representatives from appropriate city departments. The Team reviews proposed developments to ensure compliance with pertinent regulations. This required review process also ensures that the neighborhood character and quality of the neighborhoods for residential use is protected.

Other issues

(12) What's being done to assist the homeless folks that have been sleeping on the downtown mall for years and were evicted from Market Street Park?

Response: The City of Charlottesville has provided support for persons experiencing homelessness in our community through philanthropic giving to our nonprofit community, which leads this work with excellence and compassion. This includes our Vibrant Community Fund [For FY24 proposed investments please see:

https://www.charlottesville.gov/DocumentCenter/View/9325/Charlottesville-Vibrant-Community-Fund-Report-FY24-PDF?bidId=; for funded programs in the FY24 budget please visit: https://stories.opengov.com/charlottesvilleva/published/59hPvelkY] that is supported by the Department of Human Services for programs that provide safety net support for members of our community in need such as public health interventions, support for youth, etc. These investments include programs such as the Charlottesville Free Clinic, The Legal Aid Justice Center (formerly known as the Charlottesville-Albemarle Legal Aid Society), Loves & Fishes Food Pantry, the Reclaimed Hope Initiative, Monticello Area Community Action Agency (MACCA), Shelter for Help in Emergency (SHE), On Our Own, Partner for Mental Health, and the Fountain Fund. The HOPS (Housing Operations Program Support) program administered by the Office of Community Solutions provides support to our direct service providers for persons experiencing homelessness, including The Haven, PACEM, Virginia Supportive Housing (who runs The Crossings - a Permanent Supportive Housing (PSH) provider), and the Blue Ridge Area Coalition for the Homeless (BRACH) [For more information please see: https://www.charlottesville.gov/1706/Housing-Operations-Program-Support-HOPS and for FY24 investments please see: https://stories.opengov.com/charlottesvilleva/published/y1-

Please note that we do not fund the Salvation Army as they do not apply for funding at this time, but we are thankful for their work to provide year-round shelter for those who meet their program criteria. All of the above-mentioned programs provide support to individuals experiencing homelessness, including those who may continue to reside out-of-doors versus entering the shelter.

Internally, our Human Services, Social Services, and Office of Human Rights may work with community members experiencing homelessness or housing insecurity through their various programs and processes, but overall, it is our nonprofit community that provides the most focused and targeted support for those community members. Our internal work includes our Pathways Fund processes, a part of the Department of Human Services' Community Resource Helpline (https://www.charlottesville.gov/1099/Community-Resource-Hotline), which is a means to prevent homelessness; the work of the Home to Hope program which is a part of the Office of Social Equity which provides services for formerly incarcerated persons of whom nearly 50% are experiencing homelessness (https://www.charlottesville.gov/212/Home-to-Hope); and the work of the Downtown Job Center (another program under the Office of Social Equity) that provides assistance to job seekers looking for work within the City of Charlottesville (https://www.charlottesville.gov/209/Downtown-Job-Center).

(13) Is the Police Dept. up to its authorized census, and, if not, what's being done to get it there after all the officers who've left in the past few years?

C4GcVv].

Response: The police department currently has 2 sworn vacancies. This is down from 30 sworn vacancies in January of 2023.

Belmont-Carlton Neighborhood Association

(14) As a follow up question regarding online information regarding neighborhood associations.

A while back one Neighborhood Leader suggested that the associations use the city website as a way to communicate with their neighborhoods. This would remove the need for associations to have a website of their own. Is it possible for the Associations to maintain a website through the City's Portal?

Response: The city does not provide website hosting services for non-City organizations like Neighborhood Associations. However, we may place links provided by a neighborhood association on the neighborhood activity page.

Meeting Follow Up

(15) Status Rugby Shared Use Path and Washington Bike Ramp?

Response: Rugby Shared Use Path went to bid, however, there was an issue with the bid form. The issue is being resolved before it can be re-bid.

(16) Barracks Road Right of Way Status:

Response: The project is still in ROW phase.

Fry Spring's Neighborhood Association

(17) Status of crosswalk with flashing beacons at JPA/Cleveland/Sunset and other bike/pedestrian improvements to this intersection.

Response: This project was funded through planning phase, at which point it was identified that costs would be prohibitively expensive to moving forward on it. We expect to be able to examine alternative solutions for bike & pedestrian improvements at this intersection in the near future.

(18) Measures to curtail speeding cars on Stribling, Robertson and JPA

Response: No one has formally requested any speed studies for those roads. We would need to identify that there is in fact a speed problem as defined in the traffic calming manual before looking to implement any remediation measures.

(19) Repairs to the wall/sidewalk at JPA and Stribling

Response: We are finalizing the temporary construction easement process and once all the paperwork has been approved/signed off we will be able to move forward with the replacement work (pending weather etc.)

(20) Azalea Park sidewalk connection with Alb. County

Response: Not a budget priority at this time.

(21) Pilot speed traffic enforcement cameras at Johnson (as well as Buford and Clark)

Response: We're still in negotiation with the vendor and procurement redlining their standard contract.



City Manager's Report

City Departments

1-16-2024

City Manager - Sam Sanders (he/him)

City Manager's Office

Please join us for an interactive experience at the City Manager Budget Forum on Tuesday,
January 23rd from 6 – 8 pm at Carver Recreation Center. There will be stations based on our
Strategic Plan Framework staffed by personnel from different departments, conversations, an
opportunity for the community to provide feedback on prioritization of funds, light
refreshments, and more. Comments and questions can be submitted at the forum and will be
addressed on the Budget page of the City website.

Organizational Update

- Compensation and Class
 - My leadership team continues to work through finalizing the details on updating our compensation plan for all employees. We hope to begin the feasibility for implementation in the FY 25 budget.
- Collective Bargaining
 - We are still in negotiations and working diligently to come to an agreement. Our goal is to come to a fair and competitive agreement for all of our employee groups.
- Work Plan
 - o In light of time spent on other projects, the City Manager will present his second quarter update at the February meeting.

Staffing Update

- We welcome Brittaney Nelson as our new FOIA and Public Records Officer who will help us with organization throughout the City.
- We recently announced the appointment of Eden Ratliff as Deputy City Manager for Administration. He will join us in early February.
- An offer has been extended to the top candidate for Deputy City Manager for Operations. An official announcement will follow shortly.

Deputy City Manager - Ashley Marshall (she/her)

- PARKS AND RECREATION WINTER FORMAL BALL REGISTRATION OPEN
 - Parks and Recreation's Winter Formal Ball event will be held at Carver Recreation Center on January 20. Registration is now open online at: https://vacharlottesvilleweb.myvscloud.com/webtrac/web/splash.html
- SOCIAL SERVICES SEEKING CHILD CARE PROVIDERS TO BECOME SUBSIDY VENDORS
 - The Child Care Subsidy Program (CCSP) helps eligible families pay for child care across the Commonwealth. Providers that service children enrolled in the program are referred to as "Subsidy Vendors." Child Care providers wishing to become a subsidy vendor must apply through the Subsidy Vendor Application portal. Contact the Department of Social Services at 434-970-3400 for additional information.
- HUMAN SERVICES AND SOCIAL EQUITY RELATED BOARD AND COMMISSION OPENINGS

• We would like to remind the community that several City Council-appointed boards and commissions have openings that work directly with our community and focus on social equity including the Community Policy and Management Team, the Historic Resources Committee, he Human Rights Commission, the Minority Business Commission, the Police Civilian Oversight Board, the Social Services Advisory Board, and our Youth Council. More information on the openings, the date they close (January 31st for PCOB, February 7th for all others) and their requirements are available at: https://www.charlottesville.gov/jobs.aspx

Interim Deputy City Manager - Steven Hicks (he/him)

We want to say thank you to the City Operations Team (Public Works, Utilities, and Parks and Recreation) for planning and working over the weekend treating roads and having equipment ready to handle the City's first snow event.

Charlottesville Area Transit – Director Garland Williams (he/him)

As of Jan. 2, the final 250 students on the list became bus riders.

That means the total number of CCS students using buses is now 1,827.

The city's expanded team of drivers includes 17 full-time bus drivers with three lead drivers who offer support for the regular drivers, two school staff trained as bus drivers (one each at Clark and Johnson elementary schools), and three vans driven by bus aides.

City Attorney – Attorney Jacob Stroman, Esq. (he/him)

No update at this time.

Charlottesville Fire Department - Chief Michael Thomas (he/him)

- CFD participated in the UVA career day kickoff
- CFD data indicates that CY23 averaged about 8.5 confirmed opioid responses By EMS staff a month. The trends remain higher in black or African American individuals.
- CFD is gearing up to begin a new hire application process to fill vacant positions.
- Collective Bargaining continues to move forward with hopes of ratifying a contract soon.
- CFD Medic Unit was involved in an MVC with no injuries initially reported.

Charlottesville Police Department – Chief Michael Kochis (he/him)

- The Police Department will be rolling out several initiatives in the New Year:
 - Guardian Score/police interaction survey, pilot program to begin in March
 - Chief Kochis and Command Staff attended the Rose Hill Community Association meeting on January 8, to address issues expressed by the community.
 - Chief Kochis and Command Staff will be holding a Community Town Hall on the state of the department, crime, and emerging trends. This will take place at Carver Recreation Center on February 15, from 6 pm to 8 pm.

Human Resources - Director Mary Ann Hardie (she/her)

No update at this time.

Department of Human Services - Director Misty Graves (she/her)

- The Department of Human Services (DHS) is pleased to announce the hiring of Deputy Director, Charlsie Stratton. She has filled several roles with the Community Attention Foster Families program including most recently Program Supervisor. She brings a wealth of knowledge in trauma informed care for youth and families as well as a commitment to community engagement.
- Two DHS staff recently graduated from the Blue Ridge Health District's Community Health
 Worker Course through PVCC. Shelly Bryant at the Westhaven CARES Center and Ramanda
 Jackson, Self-Sufficiency Specialist with Housing Navigation and Emergency Hotel Stays, will
 certainly apply their knowledge in their field of work and continue to offer high quality services
 to residents.
- Community Based Services unit is expanding its services to work with Albemarle County Schools and Charlotteville City Schools. Currently, staff facilitate an evidence-based curriculum called Girls Circle at Journey Middle School. Next month, students involved in Knight School will be enrolled in the Community Attention Youth Internship Program to complement their classroom learning with learning on the job.
- The City's Pathways fund has dispersed \$478,811.00 in the first two quarters of the fiscal year in financial relief for rent, mortgage, or utilities.

Department of Information Technology – Director Steve Hawkes (he/him)

- Accomplishments:
 - Network Core Switch upgrade
 - Downtown Mall WiFi expansion
 - Assisted with implementation of new software systems including: Permitting system,
 Neighborhood Development Services, Performance Reviews and Learning Management
 system, Human Resources Department, and Purchasing system, Purchasing Department.
 - Created and deployed new City address dataset
 - o Implemented a number of enhancements to the City's cybersecurity posture

Neighborhood Development Services – Director James Freas (he/him)

• The Planning Commission and the City Council held a joint public hearing for input on the Capital Improvement Plan. The Planning Commission approved staff's recommendation with amendments. There is a CIP work session and no more formal CIP presentations to Council beyond when we present the proposed budget.

Parks & Recreation – Acting Director Riaan Anthony

- Tree work will begin on the Downtown Mall on January 8th. Contracted tree pruning and 1
 tree removal will take place over the course of the week. This is being done with coordination
 from Parks, Public Works, and NDS.
- The horticulture and mowing crews are fully into their winter work, which involves cutting back perennial plants, grasses, cut-back of overgrown areas, and finishing up leaf clean up. They are also working on salting and snow duty.
- We have made offers for 3 new hires on the mowing crew, which -- if they are all on-board successfully -- will bring the mowing crew to full staffing for FTE's.
- Tree planting continues in 2 ways:
 - Areas previously cleared in the invasive plant control project were re-planted with 750 saplings (small diameter trees, <2' tall). This is slightly less than the anticipated number due to spacing concerns. This was completed on Dec. 19th.
 - 179 larger (2" diameter) trees are in the process of being planted now. They are being planted in various sites including schools, rights-of-way, and parks.
- We are so happy that the Herman Key Recreation Center is back open to the public due to the roof replacement project.
- Winter Formal Ball event will be held at Carver Recreation Center on January 20. Registration is open https://vacharlottesvilleweb.myvscloud.com/webtrac/web/splash.html

Public Works – Interim Deputy City Manager Steven Hicks (he/him)

- Interviews have been completed to fill the following critical positions:
 - Deputy Director of Public Works
 - Facility Maintenance Manger
 - o Fleet Manger

Utilities – Director Lauren Hildebrand (she/her)

- The Department of Utilities is here to help keep the cold out of your home this winter with easy
 and inexpensive home energy efficiency tips. Small adjustments can make big differences, and
 Utilities' list of energy efficiency tips provide simple ways to help lower household energy
 consumption and minimize energy loss. Following these tips, in combination with using energy
 wisely, can help increase your comfort and reduce energy costs. The full list of energy efficiency
 tips can be found at www.charlottesville.gov/gas.
- The Department of Utilities has several electronic options to help increase the convenience of paying your utility bill. Paperless billing saves you time and money and provides the ability to access your account activity online. Automatic payments give you the peace of mind that your utility bill is paid in full and on time and can be made with your choice of two automatic payment options. Also, pay by text gives you the ability to make on-the-go utility payments in

- real time with a simple "OK" to pay. All of these payment options offer a secure, reliable, and convenient way to pay your utility bill. For more information on all bill pay options visit, www.charlottesville.gov/billpay or call the Utility Billing Office at (434) 970-3211.
- The Department of Utilities knows that for many people the start of a new year means a list of resolutions. And if streamlining the way you pay bills is on your list, Utilities can help with payment strategies such as the Budget Plan. The Budget Plan estimates your early cost for utilities and divides that total into 12 equal installments. These installments become your "level payment amount" for each billing month. Periodically, your account is reviewed to determine if your level payment amount needs to adjust to achieve a zero balance at the end of your budget year. To learn more about the Budget Plan, visit www.charlottesville.gov/billpay or call the Utility Billing Office at (434) 970-3211.

Social Services – Director Sue Moffett (she/her)

• The Child Care Subsidy Program (CCSP) helps eligible families pay for child care across the Commonwealth. The program is overseen by the Virginia Department of Education (VDOE) and administered by the Virginia Department of Social Services (VDSS) in partnership with local departments of social services. Providers that service children enrolled in the program are referred to as "Subsidy Vendors." Child Care providers wishing to become a subsidy vendor must apply through the Subsidy Vendor Application portal. Contact the Department of Social Services at 434-970-3400 for additional information.



City Manager's Report

Offices of the City Manager
Elected & Appointed Officials

1-16-2024

City Manager – Sam Sanders (he/him) – please see City Departments report

Deputy City Manager – Ashley Marshall (she/her) – please see City Departments report

Interim Deputy City Manager – Steven Hicks (he/him) – please see City Departments report

Office of Budget and Management – Director Krisy Hammill (she/her)

No update at this time.

Office of Communications & Public Engagement (CAPE) – Director Afton Schneider (she/her)

- CAPE Director, Afton Schneider, will preview the City Manager Report on WINA radio on the morning of City Council meetings going forward.
- Please join us for an interactive experience at the City Manager Budget Forum on Tuesday, January 23rd from 6 – 8 pm at Carver Recreation Center. There will be stations based on our Strategic Plan Framework staffed by personnel from different departments, conversations, an opportunity for the community to provide feedback on prioritization of funds, light refreshments, and more. Comments and questions can be submitted at the forum and will be addressed on the Budget page of the City website.

Office of Sustainability – Director Kristel Riddervold (she/her)

- The City Water Conservation Program, in collaboration with Albemarle County Service Authority and Rivanna Water & Sewer Authority held their 9th annual Imagine a Day without Water Art Contest. The Art contest received 271 art entries from Charlottesville and Albemarle County youth artistically conveying their actions to save water. Winners were announced from 5 different age categories and a Fan Favorite (with over 2,030 people voting!). Four teachers were also recognized for their support in the art contest and having their students participate. All the art entries provided inspiring actions around how to save water. Congratulations to the award winners and thank you to all the youth participants, teachers, and families that supported the contest. Learn more about the Imagine a Day without Water Art Contest and check out the winners: www.Charlottesville.gov/ArtContest
- Two UVA students have accepted placement with the Office of Sustainability through UVA's Intern Placement Program for the Spring 2024 session. They will be supporting the Composting Program as well as the Energy & Water Management Program
- A FY24 CIP-funded project to convert all Dominion-owned streetlights to more efficient and consistent light-emitting diode (LED) technology will kick off in early 2024. The project will occur over the next several years, stay tuned for more details.

Office of Community Solutions – Director Alex Ikefuna (he/him)

- Grants Management and City Investments Tracking Software The bid for the
 acquisition of Grants Management Software has been published to solicit potential
 service providers. The bid closing is January 24, 2024. The proposed system is designed
 to assist staff in tracking grants' performance and city investments.
- The City Manager has certified CRHA's U.S. Department of Housing and Urban Development (HUD)-mandated 5 Year Plan as being consistent with the City's five-year Consolidated Housing and Community Development Plan. CRHA will submit the plan to HUD in early spring of 2024 for review and approval. The plan, when approved, would guide CRHA's decision making pertaining to HUD funds.
- OCS is working on the Phase II agreement for the Friendship Court (Kindlewood)
 development. This phase of the project, second of the four phases would result in 106
 units. Phase I, also 106 units is nearing completion.
- All application periods for housing-related activities, including the Housing Operations & Program HOPS and CAHF, for the calendar year 2024-25 have been closed since November 16. A total of 16 HOPS and 6 CAHF applications were received by the Office of Community Solutions Housing team, requesting a total funding of \$3,894,552. It is worth mentioning that approximately \$1.4 million was advertised in the upcoming funding notice for FY2024-2025. The submitted applications are scheduled to be reviewed by the Charlottesville Affordable Housing Fund (CAHF) Advisory Committee on Thursday, January 11, 2024; after which recommendations will be made to the City Council for consideration.
- OCS is finalizing the Affordable Dwelling Unit (ADU) Manual for consideration by the City Council on February 5, 2024. The Manual is designed to align with the ADU provisions in the Zoning Ordinance that was adopted by the City Council in December 2023. The Manual sets forth the guidance, operational procedures, and implementation protocol that will guide the administration of the Affordable Dwelling Unit Ordinance.

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

• The City of Charlottesville's Office of Economic Development is partnering with the Charlottesville Regional Chamber of Commerce to present a series of three events diving deep into the Future of Talent. The series kicked off with Chris Heinz, Carter Myers Automotive Director of People & Associate Experience, sharing "10 Engagement Strategies to Improve Your Workplace" on January 16, 2024. Followed by "Recruitment Viewed from All Perspectives" on February 21 with panelists Allyn Sinderbrand & Lee Townsend with JW Townsend Landscape representing the HR and Business owner viewpoints, along with Frank Squillace with Civil Solutions, Brookes Sims with Virginia Career Works, and Roy Fitch with the Downtown Job Center sharing their viewpoints from the service provider and jobseeker perspectives. The series rounds out on March

- 20 with Lily Garcia Walton, Chief People Officer and General Counsel of Silverchair, discussing "The Future of Work." Each event in the series will be held at City Space from 8am 10am and will include light refreshments.
- In December, the City issued a Request for Proposals for qualified parking operators to manage the daily operations of approximately 1,700 public parking spaces. The responses are being reviewed with a selection expected to be made by the end of the first calendar quarter.

Emergency Management – Coordinator Jeremy Evans (he/him)

No update at this time.

Office of Human Rights - Director Todd Niemeier (he/him)

- The Office of Human Rights is now fully staffed for the first time since its creation in 2013. Employees occupy the Intake Specialist, Outreach Specialist, Investigator, and Director positions.
- All full-time staff of the Office of Human Rights team are participating in a 32-hour investigator training in January 2024. The goal of training all staff is to ensure continuity of service and skill redundancy within the office, as pertains to the essential function of addressing individual complaints of discrimination.
- The Human Rights Commission hosted a panel discussion with City Attorney Jacob Stroman, outgoing Mayor Lloyd Snook, and incoming Delegate Katrina Callsen on January 4, 2024, regarding the legislative items proposed by the Commission and adopted by Council for its 2024 legislative agenda.
- The Commission will also host a town hall discussion at its regular meeting on January 18, 2024, in support of the work to update the City's ADA Transition Plan.

Americans with Disability Act (ADA) – ADA Coordinator Paul Rudacille (he/him)

- The City of Charlottesville is pleased to announce significant progress in its ongoing commitment to full accessibility and compliance with the Americans with Disabilities Act (ADA). The next phase of the city's comprehensive ADA transition plan, the building assessment phase, will officially begin on January 15th, 2024.
- During this phase, a qualified contractor will conduct a thorough evaluation of all cityowned and operated facilities to identify and prioritize necessary accessibility improvements. This assessment will provide a detailed roadmap for ensuring inclusivity and equal access for all residents and visitors, regardless of ability.
- To keep the community informed, the Human Rights Commission (HRC) will host a public meeting on January 18th, 2024, at 6:30 PM. During this meeting, the city's ADA

transition plan contractor will present a comprehensive overview of the building assessment phase, followed by an open Q&A session for residents to ask questions and learn more about the project.

Home to Hope Program – Employment & Financial Opportunity Manager Roy Fitch Jr. (he/him)

No update at this time.

Downtown Job Center – Employment & Financial Opportunity Manager Roy Fitch Jr. (he/him)No update at this time.

Police Civilian Oversight Board – Executive Director Inez Gonzales (she/her)

No update at this time.

Circuit Court – Honorable Llezelle Dugger, Clerk of Circuit Court (she/her)

No update at this time.

Commissioner of the Revenue – Commissioner Todd Divers (he/him)

- We are working to finalize mailings for Real Estate Tax Relief for the Elderly and Disabled. Those letters will go out in the next week or so, and we will begin accepting applications via mail, online, or in-person on February 1. Deadline to apply is April 1.
 - If you qualified last year, and your last name begins with A-G, you will need to apply again this year. If you qualified last year, and your name begins with H-Z, you merely need to recertify your intention to be in the program again this year.
 If you were not in the program last year, you will need to apply. Call 434-970-3160 with questions.
- Business Tangible Personal Property filings are due by January 31st. You can file by mail or online.
- Business license renewals are due by March 1. You may file and pay by mail or online.
 Mail must be postmarked by March 1 to be considered timely.

Finance Office - Director Chris Cullinan (he/him)

- Utility Billing Office The state's Low Income Water Assistance Program (LIWAP) has come to an end as all funds have been expended. 142 Charlottesville water and sewer customers received a total of \$83,400 of assistance; an average of \$587 per customer.
- Real Estate Assessor's Office The annual reassessment is nearing completion with assessment notices going to property owners at the end of January.
- Risk Management ARPA funds have been used to update and replace Automated External Defibrillators (AEDs) in City-owned buildings and facilities. The AEDs were recently purchased and will be rolled out in the coming months.

Treasurer's Office - Treasurer Jason Vandever (he/him)

No update at this time.

Sheriff's Office - Sheriff James Brown (he/him)

No update at this time.

Office of Voter Registration and Elections – Registrar Taylor Yowell (she/her)

No update at this time.

Charlottesville Sheriff's Office

315 E. High Street, Charlottesville, VA Telephone Number: (434) 970-3777



Vision and Values:

The Sheriff's Office is committed to providing the best possible service, in a timely manner, while being fair to all citizens, employees, and management.

The Sheriff is to make the best use of his various talents, while at the same time maintaining an environment that encourages others to show their initiative and pursue their interests. Everyone is important.

The Sheriff will respect the diversity and worth of every individual, and will cultivate trust in our organization by delivering our services with honesty and accountability.

Organizational Chart

The organization consists of 13 total employees: 10 full-time and 1 part-time Deputies; 1 Executive Assistant and our Reserve Deputies.

Sheriff - James E. Brown, III
Captain – William Marshall (Office)
Sergeant – David Jackson (Circuit Court)
Corporal – Derek L. Duncan (General District Court)
Executive Assistant – Kara Thomas
Alphonso Anderson
Jennifer Ayers
Jon-Michael Breeden
Timothy Duncan
Mark Gillispie
Shawn Mays
De'quan Neal
Edithia Rovíer

Civil Process

Citizens often ask: "What is the difference between the Police Department and the Sheriff's Office?"

Answer: The Police Department handles criminal and traffic law and the Sheriff's Office handles civil law.

Commonwealth of Virginia Duties

The state regulated mandates are our primary goal:

- Courthouse and Courtroom Security
- Inmate Transportation for Court
- Serving Civil Documents

Other Duties:

- 1. Extraditions of inmates from other states
- 2. Transfer of mental patients
- 3. Evictions
- 4. Levies
- 5. Jury duty orientation
- 6. Lobby duty/ security station
- 7. Trespass notices
- 8. Unclaimed bodies
- 9. Concealed handgun permits
- 10. Staff training/updates

2022 Statistics

- 1.) Civil Papers/Subpoenas Processed 39,245
- 2.) Inmate Transports 257 local, 119 nonlocal
- 3.) Mental Patient Transports 10 local, 178 non-local
- 4.) Jury Summonses 1,817
- 5.) Visitors Screened 34,585
- 6.) Unclaimed Bodies 18

Additional Responsibilities of the Sheriff:

- Jail Board/PVCC/Police Academy/Sheriff Association meetings
- State and City budget (around \$1.5M)
- 3. Citizen complaints
- 4. Weddings (local and state)
- Requests for speaking engagements (local and regional)
- Special programs/activities: TRIAD; Safe Kids USA;
 Fight Crime: Invest in Kids; R.A.D. (Women's Self-Defense); Emergency Preparedness

Present Challenges:

- Courthouse/Courtroom security assignment.
- Space for staff

Charlottesville City Sheriff's Office

Thank you and have a good day!



WOLF JOSEY landscape architects



PAUL JOSEY, PLA, ISA Principal-in-Charge



PETER RUSSELL, PLA, ISA Project Manager



MARY WOLF, PLA Principal



HANNAH BROWN Project Designer



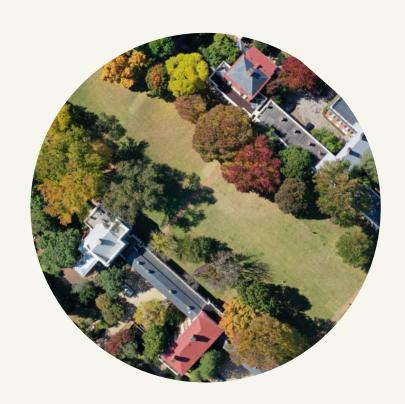
DUSTIN SMITH, PLA, LEED AP Senior Associate



SAM ASHKANI Designer

Experience

Urban and Institutional Design & Planning



UVA Lawn & Rotunda Tree Framework Plans University of Virginia Charlottesville, VA



Duke Abele Quad Tree + Soil Framework Plan Duke University Durham, NC

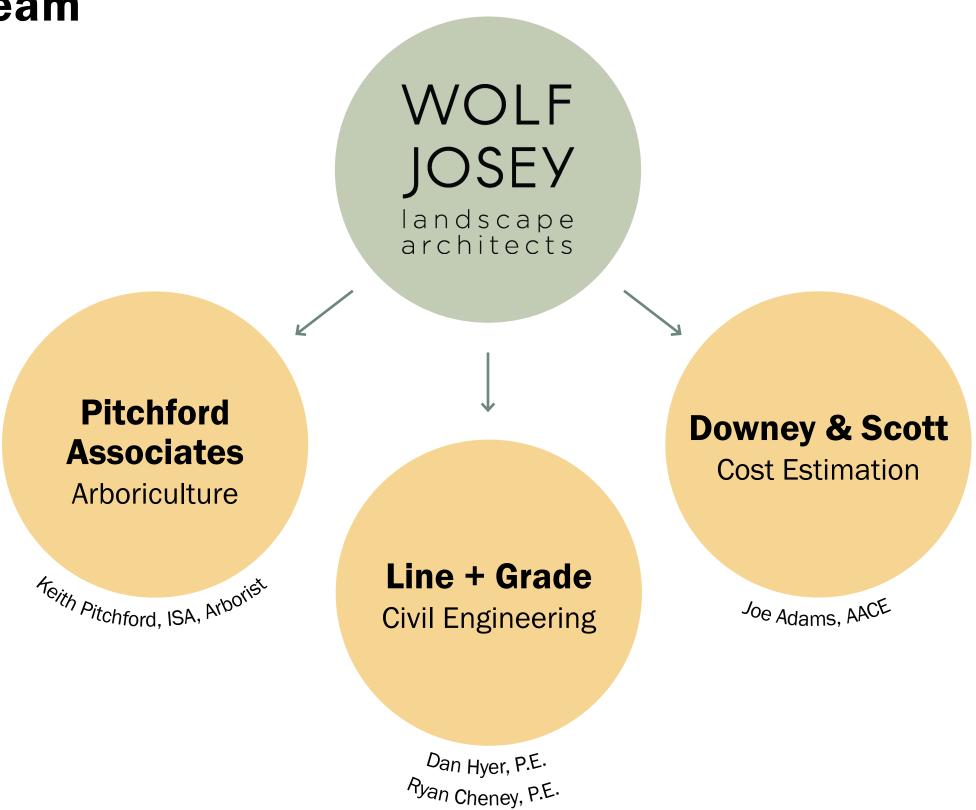


Smithsonian Gardens Soils Management Plan Washington, D.C



The District Wharf Washington, D.C.

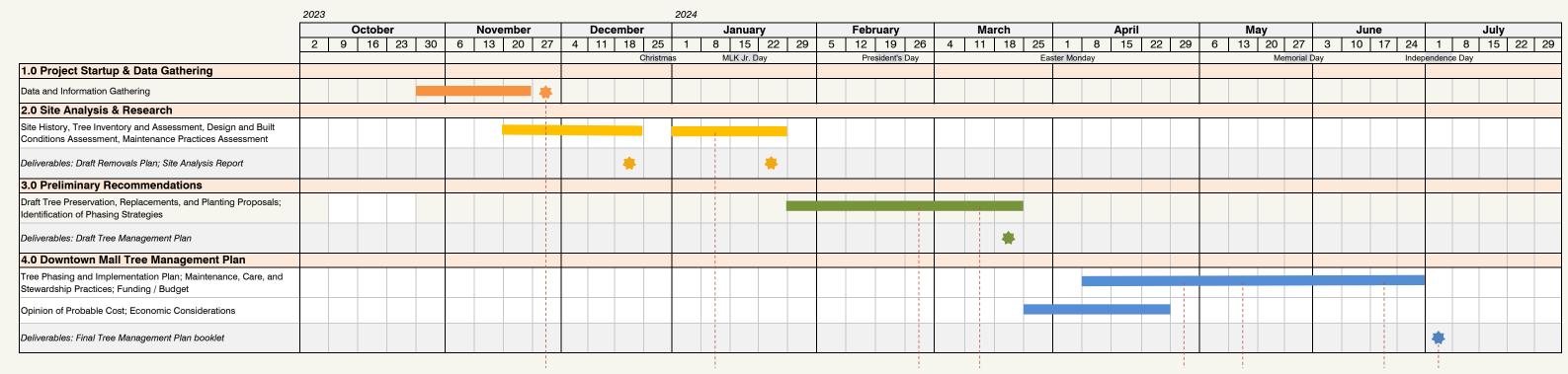
Project Team





Schedule



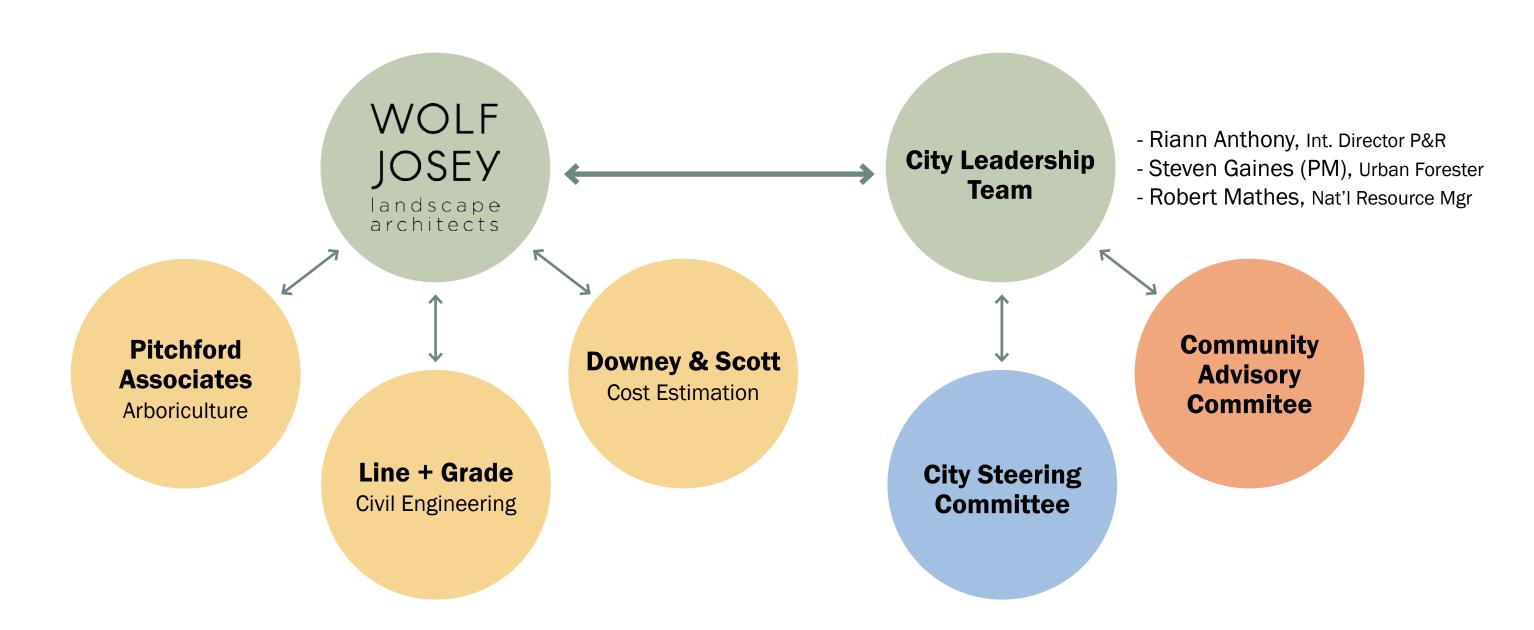


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Process + Approach | Summary



Consensus Building



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Consensus Building | Establishment of Committees

City Steering Committee Community Advisory Committee

Parks and Recreation

Public Works

Neighborhood Development Services (NDS)

Economic Development

Public Utilities

City Council

Tree Commission

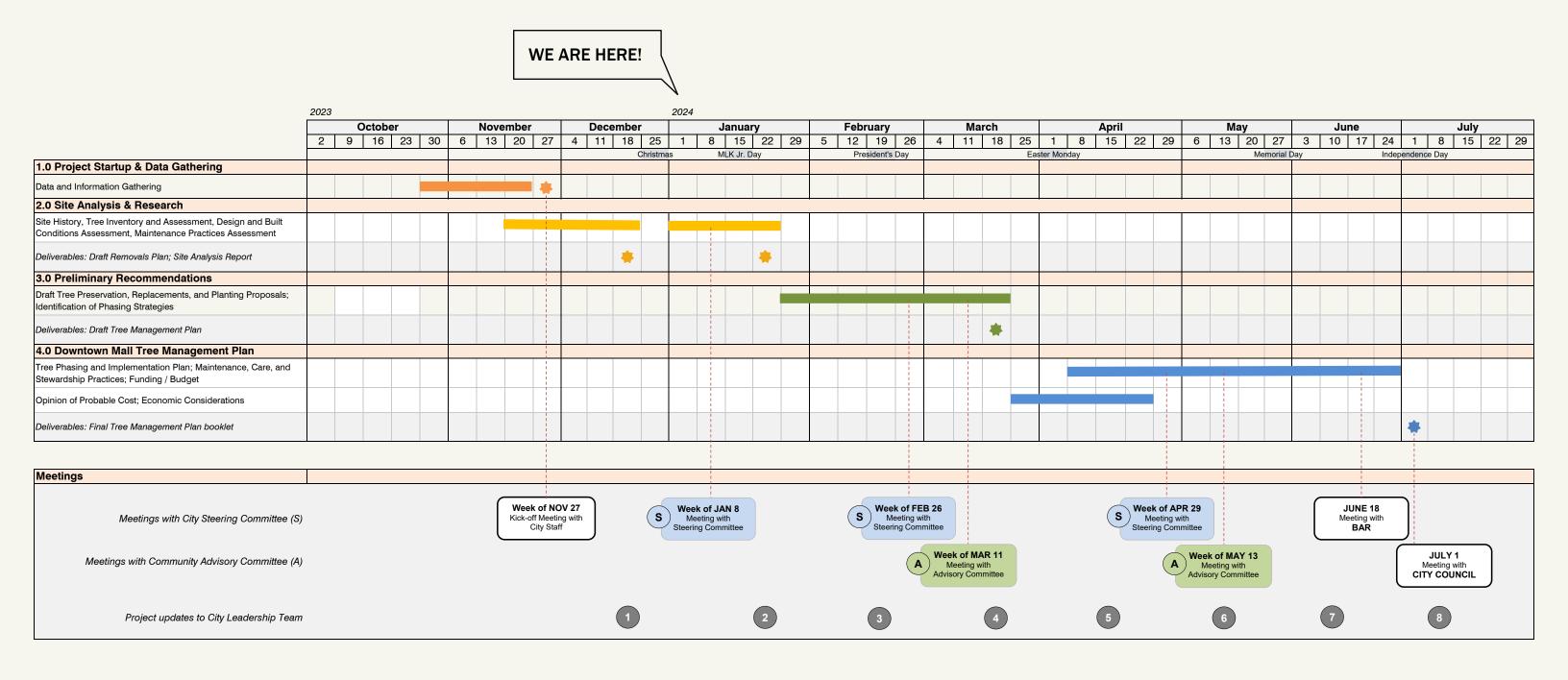
Board of Architectural Review (BAR)

Historic Resources Committee

Friends of Charlottesville Downtown

UVA Architecture School

Meetings Schedule (Draft)

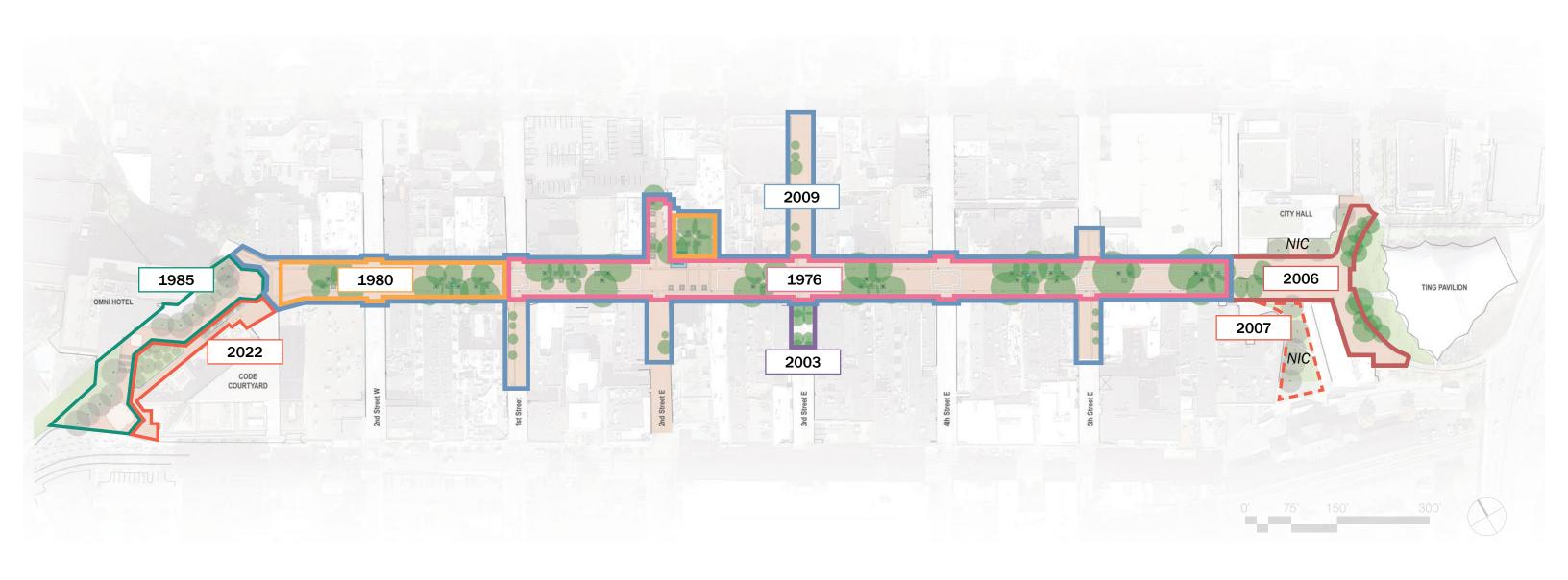


WOLF JOSEY landscape architects

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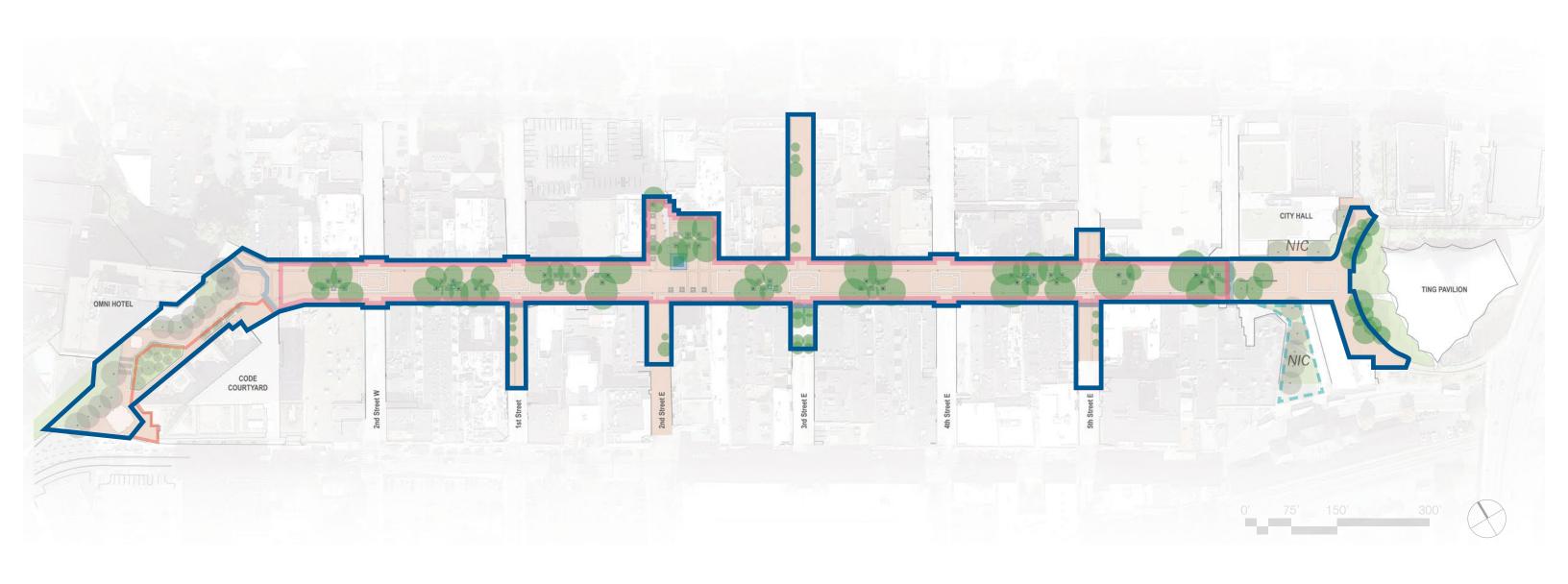


Site Plan | Historic Tree Planting Context



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Site Plan | Study Area



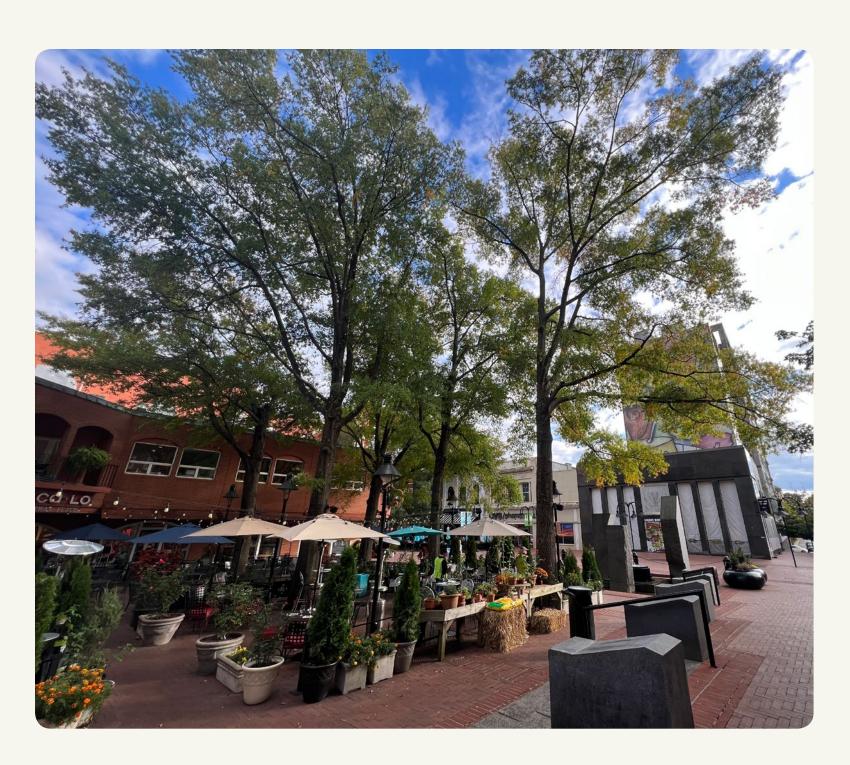
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Tree Assessment | *In-Field Data Collection*



Physical Traits

- Trunk diameter at 4.5 feet (DBH)
- Trunk flare diameter at grate opening
- Crown size
- % of Live Canopy
- Tree Height
- Structure
- Canopy Quadrants
- Distance from Tree Grate to Soil
- Impacts to trunk flare
- Deadwood
- Building Interference
- Required Pruning
- Tree Damage
- Decay
- Risk Assessment

Tree Assessment | Sample of Spreadsheet

Assessment conducted 10/18/23, 1	10/23/23, 11/3/23																															
	,,,,,																															
		o to to		(in.)	(in.) 2015	growth 2023-2015		(in.) 1989	growth 2015-1989	(in.) 1976	growth 2023-1976	vth Rate (in Arr)		(in.) - at grates	vn (ft.)	Height (ft.)	Live Canopy	cture opy Quadrants	e to Ground (in.)	t o	3917	e to Ground diff.	ts / Flare Impacts (Y/N)	JW00d	ding Interference (Y/N)	uning Req'd (Y/N)	Damage (Y/N)	ay (Y/N) at / Risk (Y/N)	ected Lifespan	all Condition 2015	Overall Condition	WOLFJOSEY landscape architects PITCHFORDASSOCIATES arboriculture + environmental consulting
Tree # Common name	Scientific name	į	<u> </u>	ОВН	표	표		표	H	표	퓬	Š		ž	Š	ee.		a i	irat	irat	015	irat 023	00	ea d		5	ree	ec.	ē	Ne Ne		Notes
1 a Shumard oak	Quercus shumardii	20		6.9	5.1	1.5	g.	NA	NA.	NIA	NA	0.2	23 1	0.8	18		1 1	<u>1 4</u>	10.5	5 1	NA C	NA NA	N <	2"	N	TNT	N	N N		NA	2 000	ssible bacterial leaf scorch, minor branch tip dieback
1 b Shumard oak	Quercus shumardii	20		3.3	10.9	2.4		NA	NA	NA	NA				30		1 1						N	-2	N			N N		NA		k lecanium scale, no grate
1 c Shumard oak	Quercus shumardii	20		5.6	9.3	6.3		NA	NA	NA	NA				36		1 1		0				N		N			N N		NA		grate
1 d Shumard oak	Quercus shumardii	20		2.5	7.6	4.9	_	NA	NA	NA	NA	_					1 2						N					N N		NA		-dominant leader, canopy heavy towards open side, no grate
2 a Shumard oak	Quercus shumardii	20		9.8	7.2	2.6		NA	NA	NA	NA	_					1 1	_						:2" S	W N			N N		NA		nor deadwood, possible oak lecanium scale
2 b Shumard oak	Quercus shumardii	20		9	7.2	1 (NA	NA	NΔ	NΔ	0.2			21		2 2			_			N 2					N N		NA		-dominant leader
2 c Shumard oak	Quercus shumardii	20		4.3	9.4	4.9	~	NA	NA	NΔ	NA				42		1 -	1 4	9				Y	-4 0	N			N N		NA		an towards south, grate tight to trunk
3 Willow oak	Quercus phellos	20		9.6	11.6	8		NA	NΔ	NΔ	NΔ	1.0		_		45.8	1 1		0			1 47 1	Y		N			N N		NA		nor deadwood, heaving brick pavers, no grate
4 Willow oak	Quercus phellos	20		7.5	11.6	5.9		NA	NA	NA	NA		74 2		42		1 1						Y		N			N N		NA		ate tight to root flare, 12" tip growth rate
5 Willow oak	Quercus phellos	20			11.9	0.0		NA	NA	NA			56 2				1 1			_			Y		_	_		N N		NA		ate tight to root flare, heaving brick pavers
6 No tree	Quercus prierios	20	00 1	0.4	11.5	7.0	0	INA	INA	INA	INA	0.0	0 2	0.5	30			4	+		1//	INA			11	114	IN	14 14		INA		tree in 2015
10 Willow oak	Quercus phellos	10	76 2	3 3	22.2	1 1	1 .	13.7	0.3	4.8	18 5	5 0.3	39 3	1.8	57	55.7	1 2	2 2	8	+	10	2	Y		N	N	N	N N		3		ot flare growing into grate structure, topped central leader
11 Willow oak		_		9.5	10.1	0.4	1	13	0.0	1.0	14.7		31 2		39		2 1		13.5	<u> </u>	10	_	N		N			N N		3		
12 Willow oak	Quercus phellos	_		8.1	17.1	0.2		12.2	0.2	4.0	19.7	3 0.2			27		2 2		9		9		N		N			N N		J		nor deadwood
13 Willow oak	Quercus phellos	_		8.8	25.6	0.0	2 .	15.7	0.2	4.0	13.0		72 4		54		1 1	_	11		11		Y		N			N N		4		en cavity, small elec. conduit in trunk is partially grown over
14 Willow oak	Quercus phellos	_		6.5	33.0	3.5	5	16.2	0.7	4.0	34	7 0.6					1 1	_	3.5		9		Y		N			N N		3	1 roc	ot flare growing into grate
	Quercus phellos						_			4.0	31.7					102.0					Ŭ			4" N						3		nandan saukan minan husush tin dishaak
15 Willow oak	Quercus phellos	19	76 1	9.4	18.5	0.0		12.7	0.2	4.0	14.0	0.0	31 2	4.0	27		2 2		10		16	6	N >	·4" N	E N	Y	IN	N N		4		poxylon canker, minor branch tip dieback
16 No tree	0	40	70 0	4.4	11.2	0.		14.7	0.0	4.0	00.6		20 4	- 0	0.4	04.0	_	4	16	+	10	_	V .	4" N	A/ NI	1	NI .	V V		3		re removed since 2015
17 Willow oak	Quercus phellos		76 3		31.7	2.1		16.2	0.6	4.8	29.6	0.6					2 1				13			·4" N	W N			YY		1		ot flare growing into grate, flush cuts pruning, quick internal growth bark ridge
18 Willow oak	Quercus phellos	_		7.5	25.6	1.8	9 .	13.7	0.4	4.8	22.7	_				01.0		1 2					Y	411	N			N N		3		ot flare growing into grate
19 Willow oak	Quercus phellos			2.7	30.5	2.2	2	16.5	0.5	4.8	27.9	0.5			54		2 1							·4" S	3 Y			N Y		3		poxylon canker, root flare growing into grate
20 Willow oak	Quercus phellos			0.1	28.5	1.6	6	15.5	0.5	4.8	25.3		54 3		42		1 1		4.5	<u>1</u>	12	7.0	Υ		Y	Υ		N Y		1		nker at base, possible insect damage at 6' high, pruning clearance from bldg needed
21 Willow oak	Quercus phellos	_		5.1	24.5	0.6	6	13.7	0.4	4.8	20.3	3 0.4			63		1 1		8	1	12		N		N			N N		1		od adventitious sprouting
22 Willow oak	Quercus phellos	_		3.4	21	2.4		13	0.3	4.8	18.6	_			33		1 1		12		18		N		N			N N		3		ot flare growing into grate
23 Willow oak	Quercus phellos	_		2.3	21.7	0.6		12.7	0.3	4.8	17.5	5 0.3			30		1 1		9.5		13		N		N	_		N N		2		nor branch tip dieback, single-sided
24 Willow oak	Quercus phellos			0.7	38.2	2.5		17.7	0.8	4.8	35.9					106.5					9		Υ		Y			YY		1		ssible ambrosia beetle, heater wound, co-dominant leader, included bark, callus wood
25 Willow oak	Quercus phellos		76 2		24.5	2.1		12.5	0.4	4.8	21.8	3 0.4			45		1 1				10		Υ			N			ļ	3		nor deadwood, slight lean, ~70'-80' tall
26 Willow oak	Quercus phellos			8.8	35.6	3.2		16.5	0.7	4.8	34	0.7					1 1		0		9		Υ			N		N N		1		nor deadwood, girdling by grate frame, quick internal growth bark ridge, pruning clearance from bldg likely
27 Willow oak	Quercus phellos	_			21.2	1.2		12.5	0.3	4.8	17.6	_	37 2		51		2 2				15		N 2	'-4" N'				N N		3		nor deadwood
28 Willow oak	Quercus phellos			5.6	15	0.6		10.2	0.2	4.8	10.8	0.2			21		1 1				12		N					N N		3		od adventitious sprouting
29 Willow oak	Quercus phellos	_		6.7	34.1	2.6		15	0.7	4.8	31.9	0.6			69		1 1		_		9		Υ			N				1		nor deadwood, root flare growing into grate
30 Willow oak	Quercus phellos	19			24.2	1.1		12	0.5	4.8	20.5					95.2	1 2		9		10		N			N				1		or wounding, co-dominant leader, pruning clearance from bldg needed
31 Willow oak	Quercus phellos			5.4	4.8	1.6		13.5	-0.3	NA	NA				15		1 1	_	13		15		N			N				2		ung, competition for light, phototropic lean, gall
32 Willow oak	Quercus phellos	_	76 2		22.8	1.5	5	14	0.3	4.8	19.5	0.4					1 1				12		N			N			ļ	2	1 mir	nor deadwood; L3 risk assessment candidate
33 Willow oak	Quercus phellos	_		9.8	19	0.0	~	12.7	0.2	4.8	15	0.3			24		2 2				18		N		N	_		N N		3	2 hea	ater damage, co-dominant leader
34 Willow oak	Quercus phellos	_		8.9	18	0.9		12.2	0.2	4.8	14.1	0.3			36		1 1		12		18		N					N N		3		nor deadwood, phototropic lean
35 Willow oak	Quercus phellos	19	76	32	35.2	-3.	2	10	0.9	4.8	27.2	0.5	58	51	57	83.1	1 1	1 3	8	1	13	5	Υ >	4" S	E N	Υ	N	N N	ļ	1	1 mir	nor deadwood, root flare growing into grate, possible phytopthora cankers
36 No tree					5.4			7																						3		e removed since 2015
37 No tree					5.1			8.5																						3		e removed since 2015
38 No tree					5.1			6.7																						3		e removed since 2015
39 No tree					4.8			6.2																						4	tre	e removed since 2015
	<u> </u>																															

WOLF JOSEY landscape architects

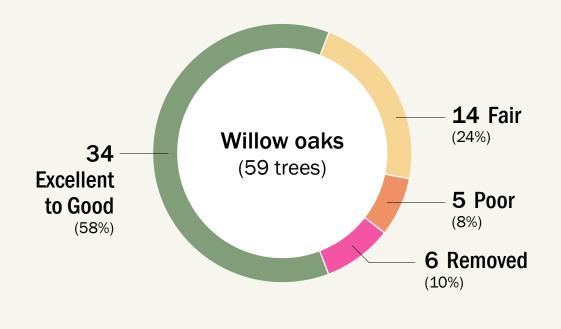
Kickoff Meeting | 16 January 2024 | 18

Health Observations | Overview









Excellent to Good

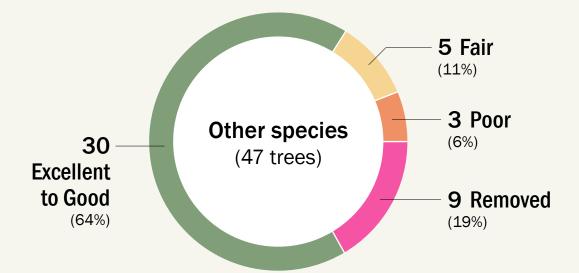
Fair Poor

Typical Conditions

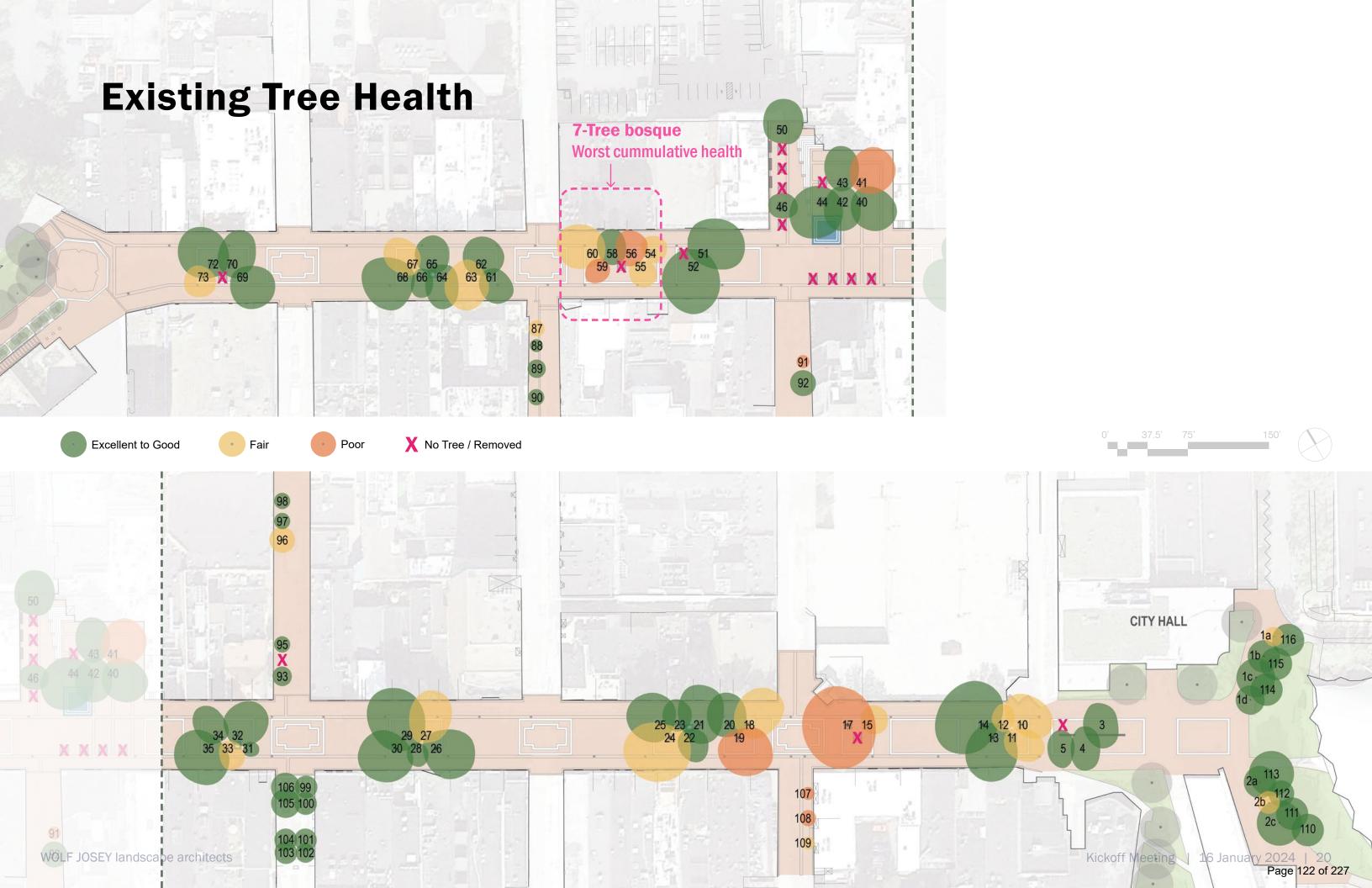
- 100% live canopy
- Strong to average annual growth
- Overall healthy condition

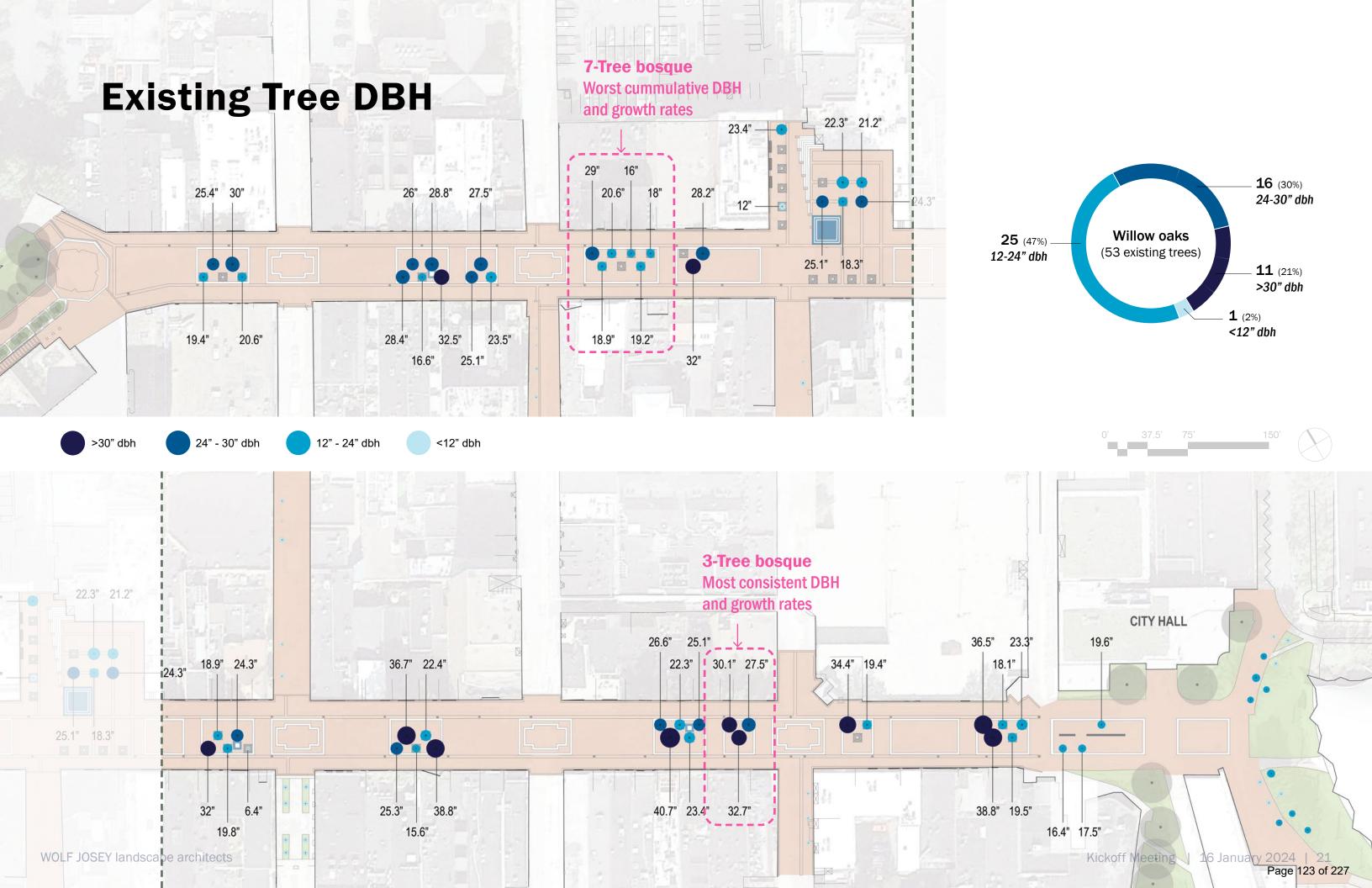
- 75% 100% live canopy
- Average annual growth
- Some branch dieback and girdled roots

- 50% 75% live canopy
- Low annual growth
- Structural defects
- Heavy branch dieback or missing central leader



WOLF JOSEY landscape architects

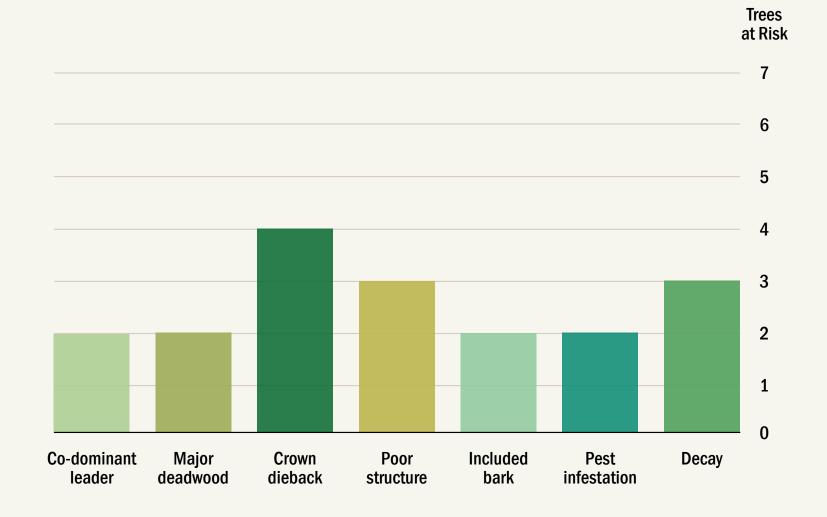




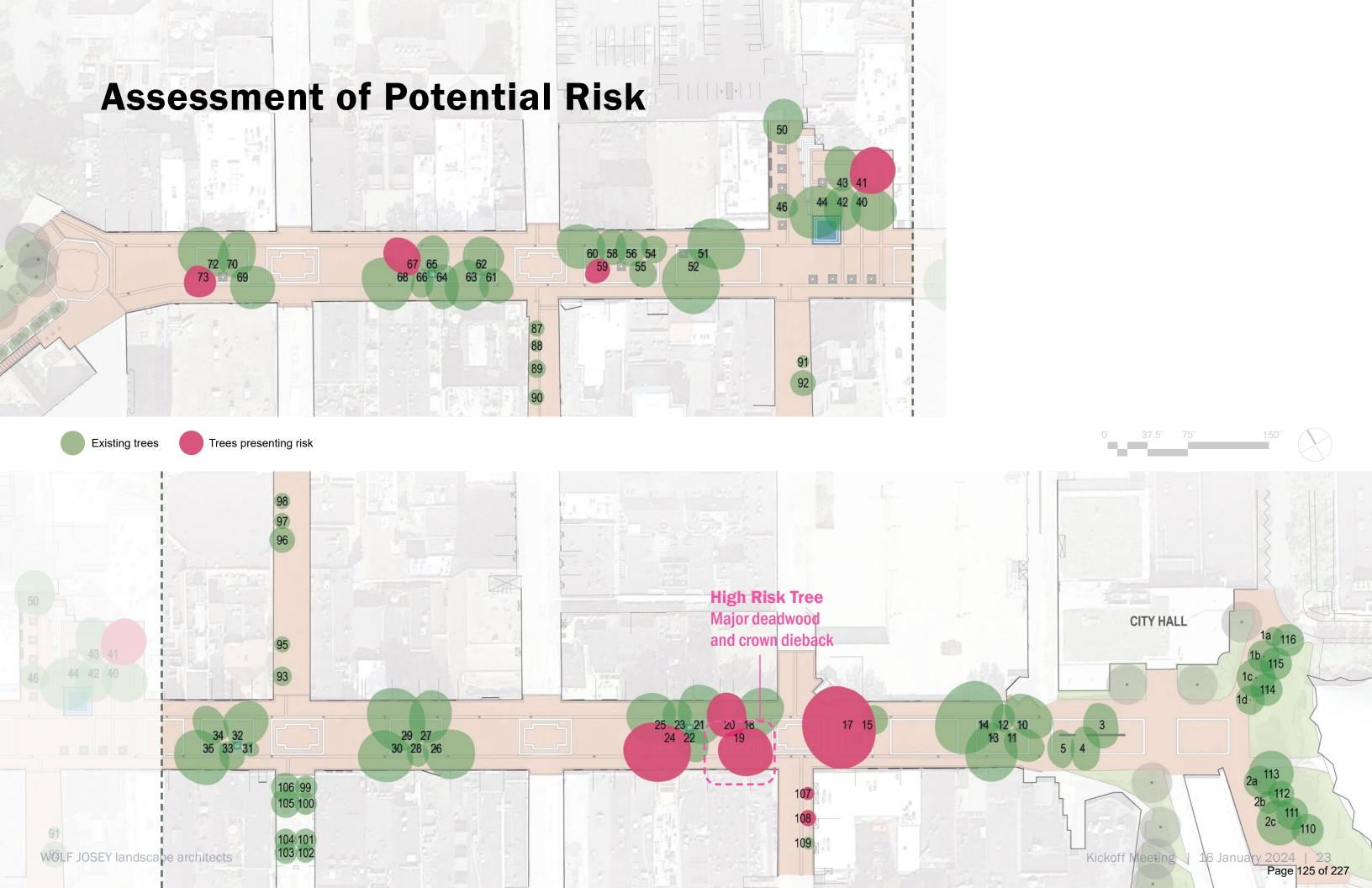
Trees Presenting Risk | Overview

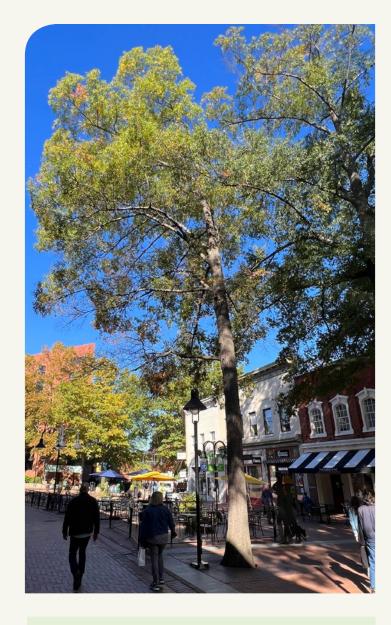
Risk is defined as the likelihood or potential for structural failure of the tree, or its branches, that impacts the safety of persons or structures.

7 of 50 willow oaks have a higher likelihood of failure due to the presence of the following conditions: co-dominant leader, decay, major deadwood and crown dieback, poor structure, pest infestation, and included bark.

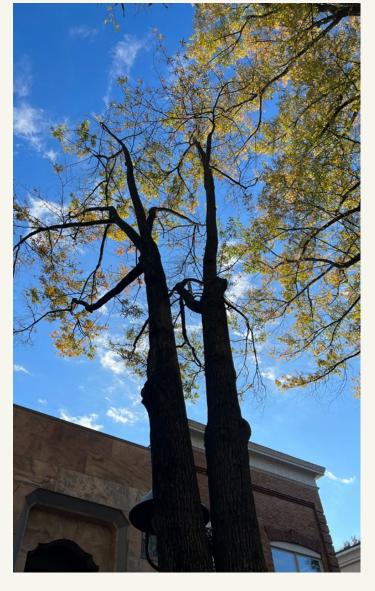


ISA Risk Matrix							
Likelihood of Failure	Consequences of Tree Failure						
	Negligible	Minor	Significant	Severe			
Very Likely	Low	Moderate	High	Extreme			
Likely	Low	Moderate	High	High			
Somewhat Likely	Low	Low	Moderate	Moderate			
Unlikely	Low	Low	Low	Low			











Willow oak #73

Major deadwood, thin canopy, phototropic lean with banana crack

Willow oak #67

Poor overall structure, topped central leader, top dieback

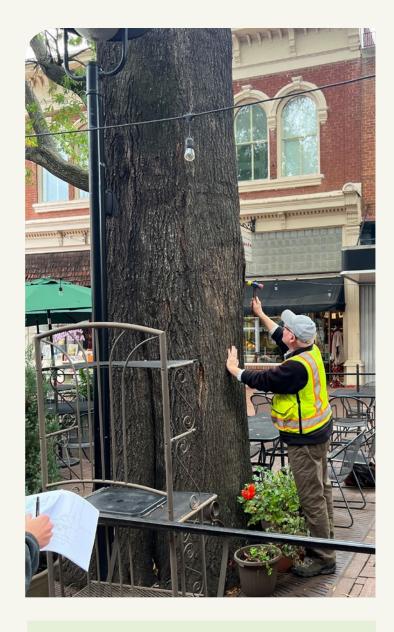
Willow oak #59

Co-dominant leader, included bark

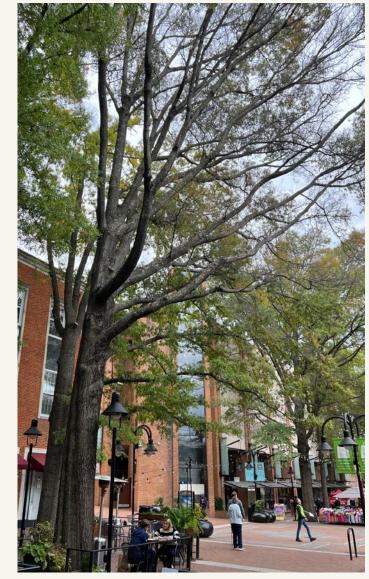
Willow oak #41

Topped central leader, internal decay

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Willow oak #24

Ambrosia beetle, heater wound, co-dominant leader, included bark, callus wood, internal decay

Willow oak #20

Canker at trunk flare, possible insect damage, pruning clearance from building needed

Willow oak #19

Major deadwood and crown dieback, Hypoxylon canker, trunk flare growing into grate, heavy pruning/ removal needed

Willow oak #17

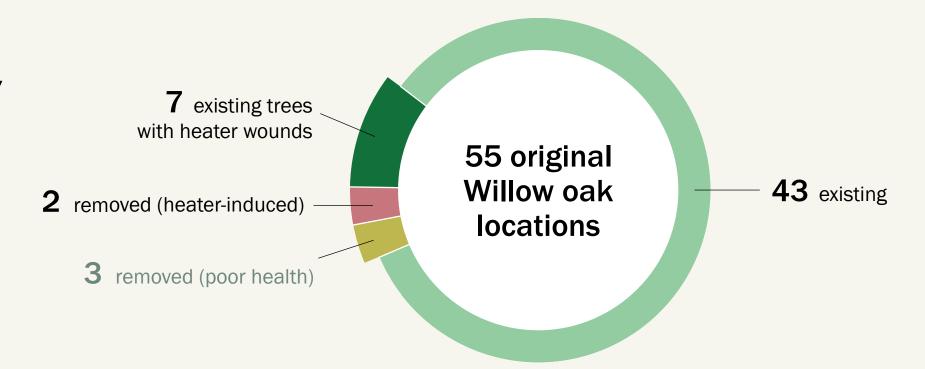
Trunk flare growing into grate, flush pruning cuts, quick internal growth bark ridge, internal decay, crown dieback

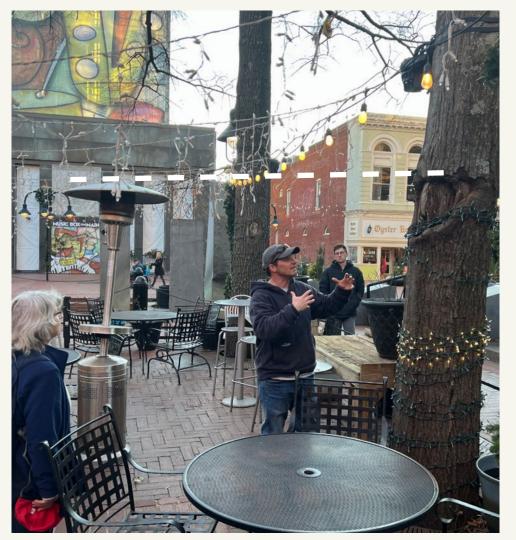
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Heater Wounds | Overview

• 9 of 55 original willow oaks were impacted by heater use too close to the trees (preventable, human-caused damage)

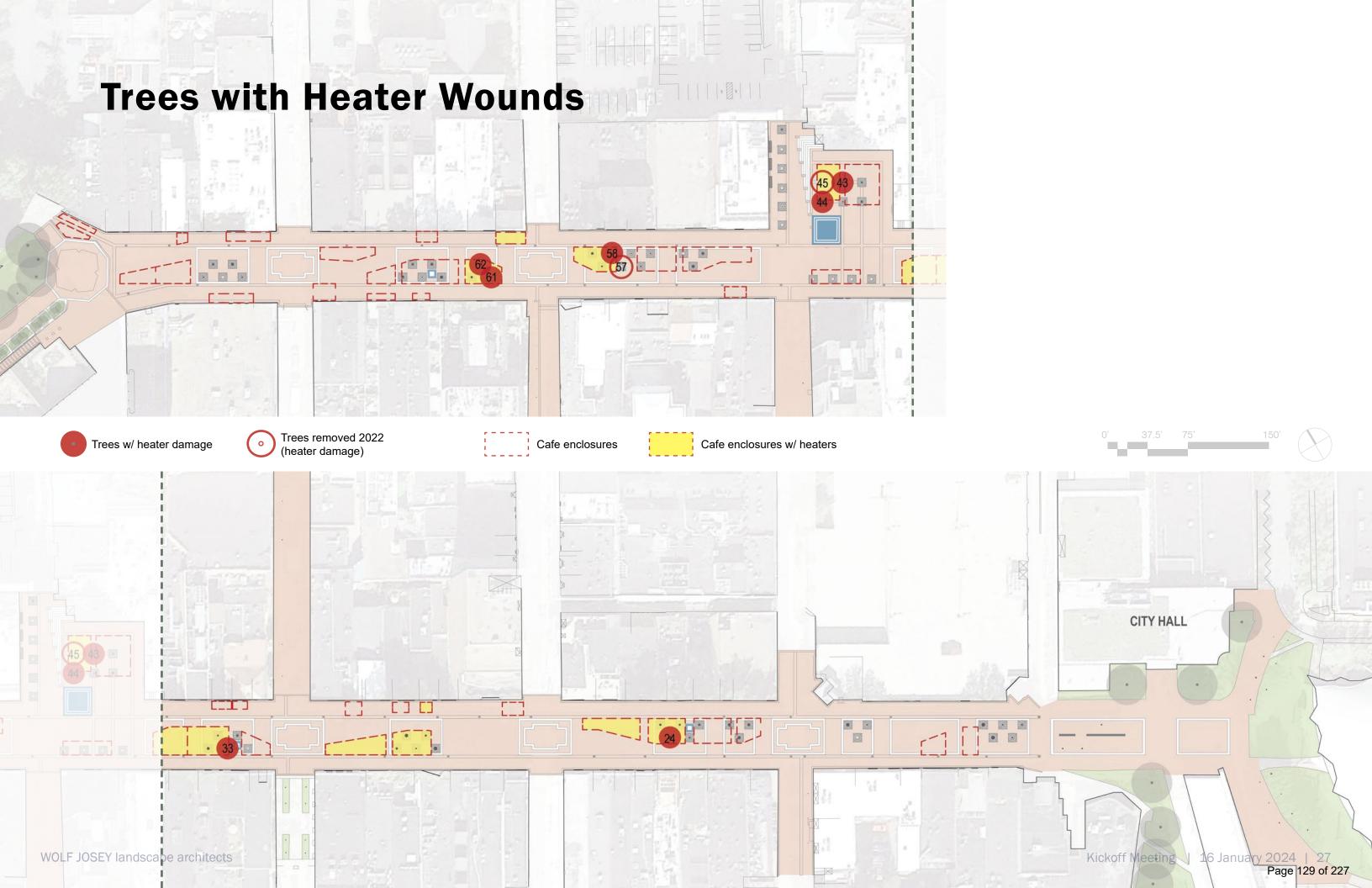
- 2 of these 9 trees required removal in 2022
- 5 of the 6 cafe enclosures that use heaters near trees have caused the damage







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Willow oak #62

Willow oak #61

Willow oak #58

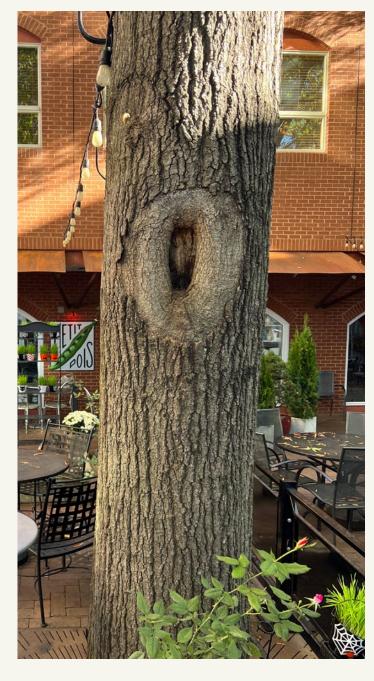
Willow oak #57

photo taken prior to removal

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Willow oak #45

photo taken prior to removal

Willow oak #44

Willow oak #43

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Willow oak #33

Willow oak #24

City response

NDS submitted new heater requirements to all downtown businesses

- Minimum 10' clearance from trees
- All heater locations to be approved with NDS
- Penalties include loss of heater usage and possible revocation of cafe space

CITY OF CHARLOTTESVILLE

"A World Class City"

Neighborhood Development Services



610 East Market Street Charlottesville, VA 22902 Telephone 434-970-3182 Fax 434-970-3359

November 20, 2023

Attention Mall Café Operator'

As you are aware, the City of Charlottesville Parks Department conducted a comprehensive review of the Downtown Mall trees and canopy as well as pruning and removal of a several trees in December and January of last year. As we move into winter the City will be conducting another round of pruning to preserve the canopy and maintain the safety of the Public space. Additional information will be shared prior to further tree work taking place.

The tree canopy is a critical piece of the Downtown Mall infrastructure. In order to continue to preserve and protect the canopy the City needs the cooperation of all Mall businesses. The attached memo from Parks speaks to tree preservation and the appropriate use of heaters, lighting and seasonal décor.

In a change from previous years ALL exterior heaters associated with Downtown Mall Café Spaces must be individually approved by Neighborhood Development Services. The use of heaters without approval or use in a manner contrary to approval or Public interest will be restricted. Failure to comply with guidelines will result in enforcement action, including the possible revocation of your Café Space.

High risk willow oak #19 removed (1/8/24)

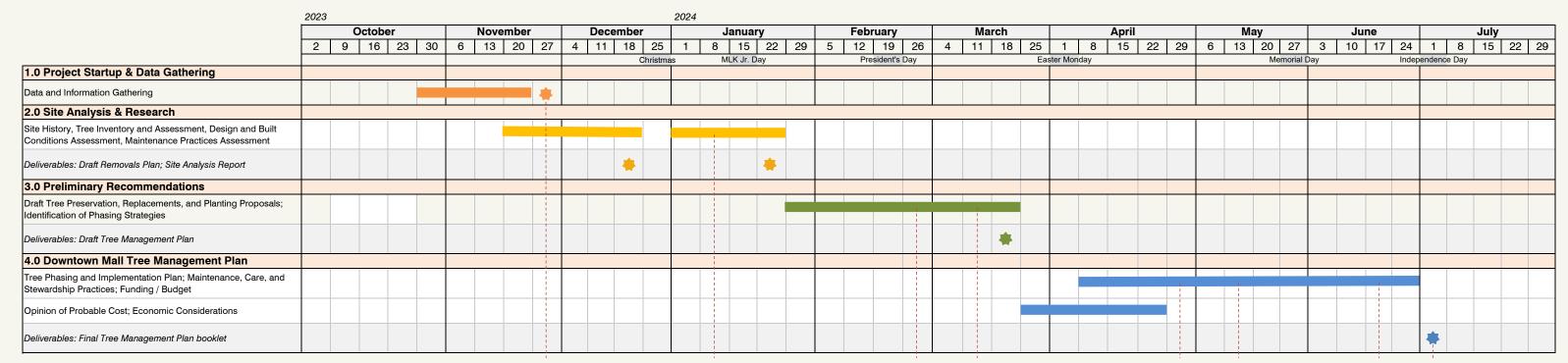
WOLF JOSEY landscape architects

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Next Steps

- 1. Complete Soil Testing
- 2. Conduct Level 3 Tree Risk Assessments
- 3. Finalize Tree Inventory and Analysis
- 4. Assemble Committees and Schedule Meetings





WOLF JOSEY landscape architects

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CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Consideration of a Rezoning Application

Presenter: Matthew Alfele, City Planner, James Freas, Director of NDS

Staff Contacts: Matthew Alfele, City Planner

Title: Ordinance to approve a Zoning Map Amendment pursuant to Sections 34-

41 of the Code of the City of Charlottesville for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road - VERVE

Charlottesville PUD - ZM23-00004

Background

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville ("Code") for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road ("Subject Property"). The applicant is moving to rezone the Subject Property from Multifamily Residential ("R-3") to Planned Unit Development ("PUD") with a Development Plan and Proffer Statement. The application, proffer statement, and development plan include a commitment to affordable housing at two times the requirements of code Section 34-12; parking; a use matrix including a maximum dwelling units per acre ("DUA"); yard and height regulations; open space; and landscaping. The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. In order for the applicant to implement the PUD Development Plan, they will need additional approvals from City Council. These approvals include:

Application ZT23-09-02 – A zoning text amendment to remove the Individually Protected Property (IPP) designation from 104 Stadium Road.

Application CP23-00002 – The applicant is requesting an amendment to remove conditions from the November 4, 1996 ordinance vacating the Woodrow Street Right of Way (ROW) along with a request to zone the closed portion to Planned Unit Development ("PUD") as described in application ZM23-00004. This review also includes a Code of Virginia, Section 15.2-2232 review from the Planning Commission

An amendment to "An Ordinance Authorizing the Sale of Certain City-Owned Property Located at 409 Stadium Road" adopted May 2, 2011 – The applicant is proposing to amend the ordinance authorizing the sale of city-owned property located at 409 Stadium Road to remove conditions and allow for development.

Application P23-0055 - A Critical Slope Waiver per City Code Section 34-516(c). Critical Slopes exist on the Subject Property along the Montebello Circle frontage and will be impacted by the proposed development.

Application P23-0058 - A Sidewalk Waiver per City Code Section 29-182(j)(5) for a portion of Montebello Circle. The applicant's development plan calls for fire access improvements to Montebello Circle, but due to site constraints they are requesting a waiver for a sidewalk along approximately 300 feet of frontage.

Discussion

Discussion:

The Planning Commission held an in-person and virtual joint Public Hearing with City Council on October 10, 2023 on this matter. The Planning Commission and City Council had the following comments on concerns:

- Concerned with the massing and scale of the development.
- Concerned that not enough parking is being provided.
- Concerned the project is not paying enough into the City's affordable housing fund.

The Planning Commission believes this location is desirable for a denser development and will contribute to the goals of the City's Comprehensive Plan. They believe many of the design elements such as the raised bike paths and street trees will be an overall improvement. Scale and massing were the main concerns but might be acceptable if the applicant made minor modifications to the massing along Stadium Road. Many of the Commissioners believed going to twelve (12) stories, while taller than what is stated in the Comprehensive Plan, is acceptable if other elements such as stepbacks and material changes are introduced along "the wall" of the building that fronts on Stadium Road. The applicant agreed to make minor changes to address these issues and they can be reviewed under attachment 1, 2, and 3 (The changes were provided to staff on November 20, 2023). There was some concern with the transition of the project along the Montebello Circle side, but these concerns were alleviated by the applicant during their presentation. Overall, the Planning Commission did not find the proposed development achieved the higher standards of a PUD but believes this is the right location and density for a project of this scale.

Link to the October 10, 2023 Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.

Link

Link to the full application and background materials. The Staff Report starts on page 47. <u>Link</u>

During the October 10, 2023 Public Hearing there was a question regarding the enforceability of the affordable housing statement provided on the Cover Sheet of the PUD Development Plan. It has been determined that to ensure the statement is enforced as proposed by the applicant, it needs to be contained in a Proffer Statement. The applicant has provided the Proffer Statement containing the same language as the Planning Commission reviewed on October 10th with no additional changes to

the application (see attachment 5). On November 14, 2023, The Planning Commission held an inperson and virtual joint Public Hearing with City Council on the application with the addition of the proffer statement. The only discussion to come out of the Public Hearing was related to concerns from the University of Virginia that the building could be visible from the Lawn. UVA has provided City Council with a letter outlining these concerns.

Link to the November 14, 2023 Planning Commission Public Hearing. Discussion starts at the 0:1:15:42 mark.

Link

Link to the updated staff report, starting on page 161. Link

Alignment with City Council's Vision and Strategic Plan

If City Council approves the Rezoning, the project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

Community Engagement

On June 12, 2023, the applicant held a community meeting in the Fellowship Hall of St. Mark Lutheran Church from 6pm to 8pm. The format of the meeting was an Open House with posters and the application team in attendance to answer questions and receive feedback. Approximately seven to eight members of the public attended the meeting and provided the following:

- Concern with the quantity of multifamily residential units proposed.
- Increase in vehicular traffic and distribution of vehicular traffic.
- Availability of parking within the development and potential parking spill-over onto neighborhood streets.
- Architectural quality of the built development.
- Concern about who will manage the building once it is finished.
- Concerns about how the development will impact longtime residents of the neighborhood.
- The building is too tall and will tower over the neighborhood.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council that was well attended by the public. Eleven (11) members of the public spoke and expressed the following:

- The scale is too large and will have an adverse impact on existing residents of the neighborhood.
- A large number of mature trees will be removed.
- Density is needed in this area and will create more housing options.
- The height and scale are not compatible with the existing neighborhood.
- The City needs this project to help address the housing shortage.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council that was well attended by the public. Two (2) members of the public spoke and expressed the following:

The applicant is not contributing enough money to the City's Affordable Housing Fund.

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

Budgetary Impact

This has no impact on the General Fund.

Recommendation

The Planning Commission voted 5-1 to recommend the application be approved for the Rezoning.

Suggested:

"I move to approve the ORDINANCE for application ZM23-00004 rezoning the Properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road, City Tax Map Parcels 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 from Multifamily Residential (R-3) to Planned Unit Development (PUD)."

Alternatives

City Council has several alternatives:

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

Attachments

- 1. Memo outlining the changes made to the PUD after the October 10th and November 14, 2023 Public Hearings.
- 2. VERVE Charlottesville PUD Development Plan Dated November 17, 2023. (1)
- 3. Updated ADU Worksheet.
- 4. Signed Proffer Statement dated December 19, 2023
- 5. Rezoning Ordinance

November 17, 2023

City of Charlottesville Neighborhood Development Services c/o Matt Alfele P.O. Box 911 Charlottesville, VA 22902

RE: Revisions to PUD Application Package

Dear Mr. Alfele,

Enclosed you will find revised materials for the proposed VERVE Charlottesville PUD following the October 10, 2023 Planning Commission Joint Public Hearing. The revised massing focuses on reductions near the main entry at the northwestern corner of the property where the prior building design has been modified to express two separate buildings. The mass of the lower eastern building remains largely unchanged, although redesign of the exterior façade has occurred throughout. Another area of focus was stepping back the façade at the southwest corner of the property near the intersection of Montebello Circle and Stadium Road. We believe these changes along with other subtle revisions benefit the overall project and bring the project in line with the commentary at the October 10 Planning Commission Joint Public Hearing.

A. Summary of Revisions from the September 25, 2023 PUD Plan

- 1. The enclosed revisions resulted in a net reduction of approximately 70,000 gross square feet and approximately 175 bedrooms.
- 2. The 12-story building has been separated into 2 buildings at the northwestern corner of the property (Stadium Road and Emmet Street), with a 2-story connection at the primary corner containing active residential and non-residential uses. The 12-story building along Emmet Street has been extended to include the northeastern corner of the property (Emmet Street and Jefferson Park Avenue).
- 3. The building setback at the southwest corner of the property (Stadium Road and Montebello Circle) was increased by an additional 6'-8" to now be approximately 25' minimum from the property line at Montebello Circle for the first 3 levels. Additionally, levels 4-11 fronting Montebello Circle at the southwest corner have been stepped back by approximately 15' for an overall distance from the property line of approximately 40' minimum.
- 4. Residential units have been added through a 5-story volume spanning the interior courtyards, matching the height of the lower eastern and southern masses that front Jefferson Park Avenue and Montebello Circle.
- 5. A non-residential space has been added at the corner of Stadium Road and Emmet Street intended for a future neighborhood-scale retail use such as a market or coffee shop.
- 6. A secondary residential entrance has been located at the corner of Jefferson Park Avenue and Emmet Street in-lieu of the bicycle entrance, and the bicycle entrance has been shifted south along Jefferson Park Avenue.
- 7. Approximately 17 parking spaces have been added to the drop-off area along Stadium Road to better accommodate ride-share services, food and package deliveries, prospective residents, etc.
- 8. Previously, the PUD Plan denoted a "potential curb cut for trash pickup" off Montebello Circle at the southwest corner of the building. This trash location has been formally included due to the separation of the buildings and the need for additional trash facilities to serve this portion of the building.

B. Affordable Housing

- 1. A separate Proffer Statement has been prepared and included.
- 2. The Applicant is now Proffering a cash contribution equal to four times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan, up to a maximum of Six Million Dollars (\$6,000,000.00).
- 3. An updated Affordable Dwelling Unit Ordinance Worksheet has been included.

C. PUD Development Plan

- 1. T1 Title Sheet
 - a. Updated project cover image to reflect the revisions outlined in Section A.
 - b. Relocated Project Metrics to T3.
 - c. Added Land Use Plan Regulations for the PUD density, dimensional, and parking regulations.
 - d. Revised Implementation of Planned Unit Development Regulations statement to "The PUD shall be administered in accordance with Article V of the Charlottesville Code of Ordinances."
 - e. Removed Affordable Housing statement in its entirety. A separate Proffer Statement has been included as outlined in Section B.

2. T2 – Zoning Information

- a. Revised Use Matrix to address public health and service uses, houses of worship, amateur radio antennas, parking uses, and maximum residential density, etc.
- b. Removed Use Matrix (Draft Zoning).
- c. Removed Proposed Draft Zoning aerial.

3. T3 – Zoning Information & Metrics

- a. Added Project Metrics.
- b. Revised Project Metrics to reflect the revisions outlined in Section A.
- c. Revised Dimensional Regulations to Comparison of Proposed Land Use Plan Regulations with Zoning Ordinance. The PUD Regulations are now outlined in the Land Use Plan Regulations on T1.
- d. Updated Comparison of Proposed Land Use Plan Regulations with Zoning Ordinance to reflect the revisions outlined in Section A.
- e. Removed Zoning Lot Regulations (Draft Zoning).
- f. Removed Building Regulations (Draft Zoning).

4. T4 – Conceptual Site Diagrams

- a. Updated Potential Option for Property Line Realignment Diagram to reflect the revisions outlined in Section A.
- b. Updated Pedestrian and Bike Facility Diagram to reflect the revisions outlined in Section A.
- c. Updated Open Space Diagram to reflect the revisions outlined in Section A.

5. C4 – Critical Slope – Site Overlay

- a. Background revisions only.
- 6. C6 Conceptual PUD Site Development Plan
 - a. Background revisions only.

7. C7 – Conceptual PUD Utility Plan

- a. Background revisions only.
- 8. C8 Conceptual PUD Grading and Stormwater Management Plan
 - a. Background revisions only.

- 9. C9 Conceptual PUD Road Sections
 - a. Background revisions only.
- 10. L501 Conceptual Landscape Plan
 - a. Background revisions only.
- 11. A0 Conceptual Development Plan
 - a. Updated plan to reflect revisions outlined in Section A.
- 12. A1 Conceptual Floor Plans
 - a. Updated plan to reflect revisions outlined in Section A
- 13. A2 Conceptual Floor Plans
 - a. Updated plan to reflect revisions outlined in Section A
- 14. A3 Conceptual Floor Plans
 - a. Added sheet.
 - b. Updated plan to reflect revisions outlined in Section A.
- 15. A4 Conceptual Exterior Elevations
 - a. New Sheet number due to additional floor plan sheet.
 - b. Updated elevations to reflect the revisions outlined in Section A.
- 16. A5 Conceptual Exterior Elevations
 - a. New Sheet number due to additional floor plan sheet.
 - b. Updated elevations to reflect the revisions outlined in Section A.
- 17. A6 Conceptual Exterior Elevations
 - a. New Sheet number due to additional floor plan sheet.
 - b. Updated building sections to reflect the revisions outlined in Section A.
- 18. A7 Conceptual Building Sections
 - a. New Sheet number due to additional floor plan sheet.
 - b. Revised building sections to reflect the revisions outlined in Section A.
- 19. A8 Conceptual Building Sections
 - a. New Sheet number due to additional floor plan sheet.
 - b. Revised building sections to reflect the revisions outlined in Section A.
- 20. A9 Conceptual Renderings
 - a. New Sheet number due to additional floor plan sheet.
 - b. Revised renderings to reflect the revisions outlined in Section A.

Sincerely,

Dylan Lambur

Development Manager

Dylan Lambur

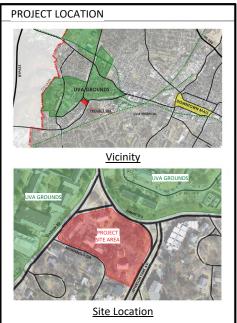
Subtext

100 STADIUM ROAD

Charlottesville, VA

VERVE CHARLOTTESVILLE | 100 Stadium Rd, Charlottesville VA





PROJECT TEAM OWNER/DEVELOPER: Subtext Acquisitions, LLC 3000 Locust Street St. Louis, MO 63101 Ph: 314-502-1709 ESG Architecture & Design, Inc. 500 Washington Ave. South, Suite 1080 ARCHITECT: Minneapolis, MN 55415 Ph: 612-339-5508 Fx: 612-339-5382 CIVIL ENGINEER: Timmons Group 608 Preston Avenue Suite 200 Charlottesville, VA 22903 Ph: 434-295-5624 AJC Design Group, LLC 1991 Woodland Way LANDSCAPE ARCHITECT: Dunwoody, GA 30338 Ph: 770-330-0814

LAND USE PLAN REGULATIONS					
Maximum Number of Dwelling Units:	550				
Maximum Number of Dwelling Units/Acre:	167 DUA				
Maximum Height:	135 feet 12 Stories				
Minimum Square Feet of Non-Residential:	1000 sf				
Minimum Setbacks:					
Front:	1'				
Side:	1'				
Rear:	15'				
Minimum Open Space (Gross Area):	15%				
Off-Street Parking Requirements:					
Multifamily Dwelling:	0.5 Spaces per unit				
General Office Use:	1 space/500 sq. ft. of GFA				
Convenience Store:	1 space/500 sq. ft. of GFA				
General, Retail Sales:	1 space/500 sq. ft. of GFA				
Restaurants, Generally:	1 space/500 sq. ft. of GFA				
All Other Uses:	As Reqr by Ordinace Sec 34-984				

IMPLEMENTATION OF PLANNED UNIT **DEVELOPMENT REGULATIONS**

The PUD shall be administered in accordance with Chapter 34 Article 5 Divisions 1-3 of the City of Charlottesville Zoning Ordinance in effect on Novermber 14, 2023

	DRAWING INDEX - PUD				
DRAWING NUMBER	DRAWING NAME	PUD - 8/15/2023	PUD - 11/09/2023	PUD - 11/17/2023	
GENERAL INFO		_	_	_	_
T1 T2	TITLE SHEET ZONING INFORMATION	:	•	•	H
		+ -	٠	٠	⊢
T3	ZONING INFORMATION & METRICS CONCEPTUAL SITE DIAGRAMS	÷	÷	÷	⊢
14	CUNCEPTUAL SITE DIAGRAMS	•	·	·	L
CIVIL					
C1.1	ALTA SURVEY			•	Т
C1.2	ALTA SURVEY	٠.	÷	÷	Н
C1.3	ALTA SURVEY			•	H
C1.4	ALTA SURVEY		•	•	Н
C2	PEDESTRIAN NETWORK PLAN		•	•	Н
C3	NATURAL ENVIRONMENTAL & CULTURAL FEATURE MAP			•	H
C4	CRITICAL SLOPE SITE OVERLAY	•	•	·	H
CS	CONCEPTUAL PUD DEMOLITION PLAN		•	•	H
C6	CONCEPTUAL PUD SITE DEVELOPMENT PLAN		•	•	H
C7	CONCEPTUAL PUD UTILITY PLAN	•	•	•	Т
C8	CONCEPTUAL PUD GRADING AND STORMWATER	•	•	•	Т
	MANAGEMENT PLAN				L
C9	CONCEPTUAL PUD ROAD SECTIONS	•	•	•	
LANDSCAPE		_	_	_	_
L501	CONCEPTUAL LANDSCAPE PLAN	•	•	•	L
ARCHITECTURA	L				
A0	CONCEPTUAL DEVELOPMENT PLAN		•	•	Г
A1	CONCEPTUAL FLOOR PLANS		•	•	T
A2	CONCEPTUAL FLOOR PLANS	•	•	•	Т
A3	CONCEPTUAL FLOOR PLANS	T	•	•	Т
A4	CONCEPTUAL EXTERIOR ELEVATIONS		•	•	Г
A5	CONCEPTUAL EXTERIOR ELEVATIONS	•	•	•	Г
A6	CONCEPTUAL EXTERIOR ELEVATIONS	•	•	•	Г
A7	CONCEPTUAL BUILDING SECTIONS	•	•	•	Г
A8	CONCEPTUAL BUILDING SECTIONS	•	•	•	Г
A9	CONCEPTUAL EXTERIOR RENDERINGS				П

DRAWING INDEX



NOT FOR CONSTRUCTION



USE MATRIX

Use Matrix		
B = By-Right Use; () = Use Not Allowed; P = Provisional Temporary Use Permit; A = Ancillary Use; A/C =	Use Permit; S = Special U Ancillary or Special Use F	se Permit; T =
	R-3	Propose PUD
RESIDENTIAL AND RELATED USES		
Accessory apartment, internal	В	
Accessory apartment, external	P	
Accessory buildings, structures and uses	В	В
Adult assisted livng		
1—8 residents	В	В
Greater than 8 residents	S	
Adult day care	S	
Amateur radio amennas, to a height of 75 ft.	В	В
Bed-and-breakfast:		
Homestay	В	В
B & B	В	В
Inn	S	
Boarding: fraternty and sorority house	S	
Boarding house (rooming house)	S	
Convent/monastery	S	
Dwellings:		
Multifamily	В	В
Single-family attached	В	1
Single-family detached	В	
Townhouse	В	
Two-family	В	
Family day home		
1—5 children	В	
6—12 childres	В	_
Home occupation	P	В
Nursing homes	8	T
Occupancy, residential		
3 unrelated persons	В	В
4 unrelated persons	В	В
Residential density (developments)		

6—12 children	В	
Home occupation	P	В
Nursing homes	S	
Occupancy, residential		
3 unrelated persons	В	В
4 unrelated persons	В	В
Residential density (developments)		
1—21 DUA	В	В
22—43 DUA	S	В
44—64 DUA	S	В
65—87 DUA	S	В
88—167 DUA		В
Residential treatment facility		
1—8 residents	В	В
8+ residents	S	
Shelter care facility	S	
Single room occupancy facility	S	
Temporary family health care structure	T	
NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL		
Access to adjacert multifamily, commercial, industrial or mxed-use development or use	В	В
Accessory buildings, structures and uses	В	В
Houses of worship	В	В
Temporary (outdoor church services, etc.)	T	
Cemetery	S	
Clinics:		
Health clinic (ap to 4,000 SF, GFA)	В	В
Public health dinic	В	В
Clubs, private	S	
Communication facilities:		
Attached facilties utilizing utility poles as the attachment structure	В	В
Attached facilties not visible from any adjacent street orproperty	В	В
Daycare facility	В	В
Educational facilities (non-residential)		
Elementary	В	В
High schools	В	В

Colleges and universities	В	В
Funeral home (without crematory)		
GFA 4,000 SF or less	S	
GFA up to 10,000 SF	S	
Funeral homes (with crematory)		
GFA 4,000 SF or less	S	
GFA up to 10,000 SF	S	
Laundromats	A	A
Libraries	В	В
Municipal/governmental offices, buildings, courts	S	-
Offices:		
Business and professional		В
Medical		В
Philanthropic institutions/agencies		В
Property management	A	В
Other offices (non-specified)		В
Parking:		
Parking garage	A/S	A A
Surface parking lot	A	A A
Surface parking lot (more than 20 spaces)	A	A
Temporary parking facilities		
Recreational facilities:		
Indoor: health/sports clubs tennis club: swimming club: yoga studios; dance studios, skaing rinks, recreation centers, etc. (on City-owned, City School Eoard-owned, or other public property)	В	
Indoor: health/sports clubs tennis club; swimming club; yoga studios; dance studios, skaing rinks, recreation centers, etc. (on private property)		
GFA 4,000 SF or less	A	В
GFA up to 10,000 SF		В
GFA more than 10,000 SF		В
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city owned), and related concession stands	В	В
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. private)	S	

Restaurants:		
Fast food		В
Full service		В
Utility facilities	S	
Utility lines	В	В
NON-RESIDENTIAL USE3. RETAIL		
Consumer service businesses		
Up to 4,000 SF, GFA	A	В
Grocery stores:		
Convenience		В
General, up to 10,000 SF,GFA		В
Temporary sales, outdoor (fla markets, craft fairs, promotional sales, etc.)		Т
Other retail stores (non-specified):		
Up to 4,000 SF, GFA		В
Up to 20,000 SF GFA		В
NON-RESIDENTIAL: INDUSTRIAL		
Construction storage yard		Т

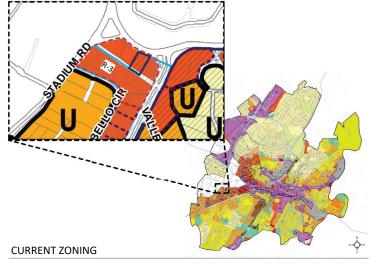


100 STADIUM ROAD

Charlottesville, VA



LAND USE MAP



NOT FOR CONSTRUCTION

PUD
11/17/2023

ORIGINAL ISSUE: 04/11/23
REVISIONS
No. Description Date

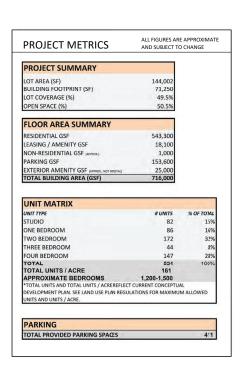
222534
PROJECT NUMBER
JH NR
DRAWN BY CHECKED BY

KEY PLAN

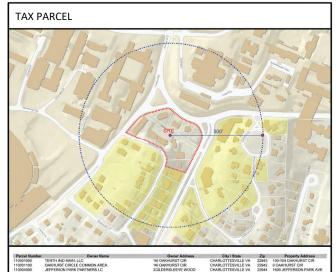
100 STADIUM ROAD

100 STADIOW NOAD

 $\overset{\text{ZONING INFORMATION}}{\textbf{T2}}$



	Current R-3 Zoning: Consisting of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged.	PUD: To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern.		
Physical Charac	teristics			
Height	45' Up to 101' by SUP	135'		
Front Yard	25' min.	1' min.		
Side Yard	1' per 2' height, 10' min.	1° min.		
Rear Yard	25' min.	15' min.		
Land Coverage	75% max.	75% max.		
Density	Up to 21 DUA Up to 87 DUA by SUP	Up to 167 DUA		
Parking	722 spaces (1 space per Efficiency-2BR unit; 2 spaces per 3BR-4BR unit)	411 spaces		







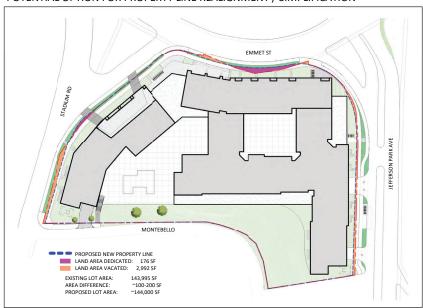
NOT FOR CONSTRUCTION



ZONING INFORMATION &

T3

POTENTIAL OPTION FOR PROPERTY LINE REALIGNMENT / SIMPLIFICATION



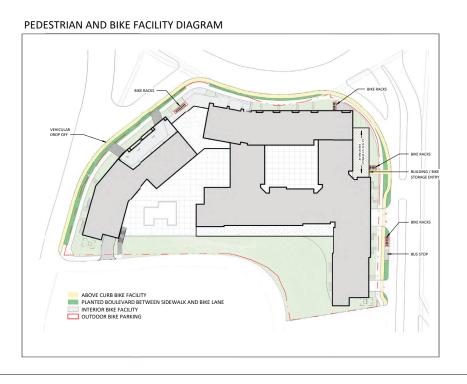
100 STADIUM ROAD

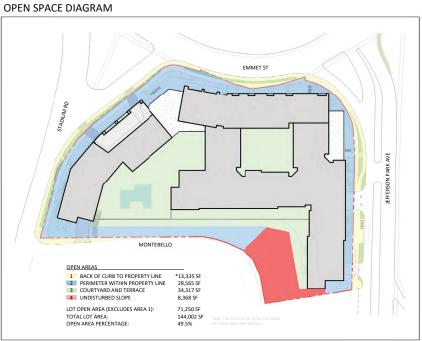
Charlottesville, VA



NOT FOR CONSTRUCTION







1. PROPERTY & ZONING INFORMATION

SUBJECT PROPERTY 1: OWNER:

SUBJECT PROPERTY 2: OWNER:

SUBJECT PROPERTY 3: OWNER: DROW TOO, LLC BOOK 720, PAGE 52*

SUEJECT PROPERTY 4: OWNER:

100 STADIUM ROAD 7.322 ACHES (AS SURVEYED)

SUBJECT PROPERTY 5: OWNER: IDROW APARTMENTS, LLC, SUCCESSOR BY VERSION TO STADIUM ROAD LIMITED PARTNERSHIP D BOOK 480, PAGE 740

VESTING DEEDS: TAX MAP NUMBER:

SUBJECT PROPERTY 6: OWNER:

AREA: ZONED:

DIMENSIONAL ZONING REGULATIONS SPECIFIC TO ZONE R-3H ARE NOT PROVIDED IN THE CITY OF CHARLOTTESVILE CODE.

I. THE BOUNDARY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP COMPLETED ON DECEMBER 8, 2022. BEARINGS AND DISTANCES ARE SHOWN

7. (HIS PLAT WAS PREPARE) BASED ON THE FOLLOWING TITLE COMMITMENTS
PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY:

- COMMITMENT NO. NCS-115400A-STLO DATED FEBRUARY 9, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 9, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 9, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 9, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 9, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 8, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 8, 2023 AT 8:00 AM
- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 8, 2023 AT 8:00 AM
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- COMMITMENT NO. NCS-1154000-STLO DATED FEBRUARY 8, 2023 AT 8:00 AM
- COMM

11, NO EVIDENCE OF CEMETERY OR BURUAL GROUNDS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY FIELD-WORK.

- OESERVED EVIDENCE COLLECTED DURING FIELD PROCEDURES AND SURVEY OF SITE - ACCE QUALITY LEVEL "B" UNDERGROUND LITLITY INVESTIGATION BY THIS FIRM

13, 'HERE ARE NO EVIDENT GAPS, OVERLAPS, OR GORES CONTIGUOUS WITH THE SUBJECT PROPERTIES' BOUNDARIES.

SUBSURFACE UTILITY DESIGNATION NOTES:

SOI = END OF INFORMATION FOR CONDUCTIVE UTILITY FIELD SIGNALS.

U/G UTILITY DESIGNATION PERFORMED BY TIMMONS GROUP AND COMPLETED IN DECEMBER OF 2022.

ALL U/G UTILITIES FOUND ON-SITE ARE DESIGNATED AS QUALITY LEVEL B UNLESS OTHERWISE NOTED.

ALL SIZES AND TYPES OF UIG UTILITIES HAVE SEEN TAKEN FROM PLANS AND ASJRINITS

AREA TABULATION:

74,527 SQ. FT. 12,302 SQ. FT.	OR OR	0.282 AC.
	OR	1.711 AC.
14,026 SQ. FT.	OR	0.322 AC.
9,565 SQ. FT.	OR	0.220 AC.
	OR	0.235 AC.
9,41C SQ. FT.	OR	0.216 AC.
	10,234 SQ. FT.	10,234 SQ. FT. OR

EXISTING WCODROW ST. ± 13,980 SQ. FT. OR 0.321 AC. (PROPOSED FOR VACATION)

TOTAL W/ WOODROW ST. 144,044 SQ. FT. OR 3.307 AC.

LEGAL DESCRIPTIONS

COMMITMENT NO. NCS-1151403A-STLO (TAX MAP #16-4)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS

ALL THAT PARCEL OF LAND CONTINUING 0.322 ACRES, MORE ON LESS, AS OF THAT SHOWN AND A CONTINUING 0.322 ACRES, MORE ON LESS, AS OF THAT SHOWN OF ALT MALES HAVE THAT SHOWN OF ALT MALES HAVE THAT SHOWN OF A CONTINUING THAT SHOWN AS WOOD ROWS APPRIENTING LOCATED ON JEFFERSON PHY AVENUE, MONTERELLO CHROLE STADIM MINES PRINCIPLES HAVE THE ACRES FOR THE CENTRE OF THE CENT

COMMITMENT NO. NCS-1151403B-STLO (TAX MAP #16-3)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 34, MONTEBELLO, AS SHOWN AND DESCRIBED ON PLAT THEREOF PREPARED BY RODGE W. RAY & ASSOC, INC., DATED APPUL 23, THEREOF PREPARED BY RODGE W. RAY & ASSOC, INC., DATED APPUL 23, THE SHOWN AS THE ASSOCIATION AS THE SHOWN AS THE STADUM RODG. LOCATED ON EBMILET STREET WOODDOWN STREET, CHARACTIESTULE, UPRIGNIA, "RECORDED IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE GITY OF CHARACTIESTULE VIRGINIA," ROSES 530 THROUGH 533.

COMMITMENT NO. NCS-1151403C-STLO (TAX MAP #16-2)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS

ALL OF LOT 35. AS SHOWN ON PLAT OF HOLLADAY'S MONTEBELLO ADDITION, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE COUNTY, VIRGINIA, IN DEED BOOK 153, PAGE 293.

COMMITMENT NO. NCS-115(403D-STLO (TAX MAP #16-5)

ALL THAT PARCEL OF LAND CONTAINING 1.714 ACRES, MORE OR LESS, AS SHOWN ON PLAT PREPARED BY ROGER W, RAY A ASSOC. INC., SWITTED A ASSOC. INC. SWITTED A SWITTED A SWITTED A ASSOCIATION AS WOOD AND A ASSOCIATION AS FREET, THAN LOTTE SWITTED ASSOCIATION, ADED JAMES 5, 1877. REVISED JAMES 1, 1879. REVISED JAMES 1, 1879. REVISED JAMES 1, 1879. REVISED JAMES 1, 1879. REVISED ASSOCIATION AND ASSOCIATION ASSOCIATION AND ASSOCIATION AND ASSOCIATION AS BOOK 698, PAGES 382-385.

*NOTE: SEE SCHEDULE B. PART I. ITEM B.

COMMITMENT NO. NCS-1151403E-STLO (TAX MAP #16-1)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CHARLOTTESVILLE CITY, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT NO. THIRTY-SIX (36, AS SHOWN ON THE MAP OF THE SUBDIVISION OF MONTEBELLO, OF RECCRD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE COUNTY IN DEED BOOK 159, PAGE 293.

COMMITMENT NO. NCS-1151403F-STLO (TAX MAP #16-8)

ALL OF THOSE LOTS OF PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRSINIA, AND MORE PARTICULARLY DESCRIBED AS

ALL OF LOT 23 OF MONTERELLO SURDIVISION ON A PLAT BY B. ALIBREY ALL OF LOT 20 OF MONTEBELLO SUBDIVISION, ON A PLAT BY B. AUBREY, HEFMAN AS ASSOCIATES, LTD, LATED UNK 4, 1984, AND RECORDED IN THE CLERKS OFFICE OF THE CIRCUIT COUNT OF THE CITY OF CHIRCUIT ON THE CHIRCUIT COUNT OF THE CITY OF CHIRCUIT COUNT OF THE CITY OF CHIRCUIT COUNT OF THE CITY OF CHIRCUIT COUNT OF CHIRCUIT COUNT OF CHIRCUIT COUNT OF THE CITY OF CHIRCUIT COUNT OF THE CHIRCUIT OF THE COUNT OF THE CHIRCUIT O



OF 2.986 ACRES

FRONTING

STADIUM ROAD JEFFERSON PARK AVENUE EMMET STREET BEING TAX MAP NUMBERS 16-1, 16-2, 16-3,

16-4, 16-5, 16-8

IN THE CITY OF CHARLOTTESVILLE, VIRGINIA

J.N.: 56566

Checked by: JCM

CITY OF CHARLOTTESVILLE ALBEMARLE COUNTY, VA

Date: December 16, 2022 | Scale: N/A

Sheet 1 of 4

Last Revised: April 14, 2023

Drawn by: DGT/TEB

104 STADIUM ROAD

Charlottesville, VA



PUD 11/17/2023

REVISIONS

'ALTA/NSPS LAND TITLE SURVEY'

58108 TIMM TIMM CHECKED BY

104 STADIUM ROAD

ALTA SURVEY (1 OF 4)

C1.1

ALTA/NSFS SURVEYOR'S CERTIFICATION



SOME HISTORICAL LAND RECORDS CONTAIN DISCRIMINATORY COVENANTS THAT ARE ILLEGAL AND UNENFORCEABLE BY LLW. THIS COMMITMENT AND FED CLEY TREAT AND ISSCRIMINATORY COVENANT IN A DOCUMENT REFERENCE BY SCHEDULE BY AS IF EACH SCRIMINATION OF COVENANT IN A DOCUMENT REFERENCE BY REPUBLIC BY REPUBLIC BY REPUBLIC BY COMMITMENT OF THE DESCRIMINATION OF REPUBLIC BY REPUBLIC BY

- ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IS POSSESSION THEREOF.
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY PUBLIC RECORDS.
- ANY LIEN OR KIGHT TO A LIEN FOR SERVICES, LABOR, MATERIAL OR EQUIPMENT, UNLESS SUCH LIEN IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY AND NOT OTHERWISE EXCEPTED FROM COVERAGE
- ROADS, WAYS, STREAMS OR EASENENTS, IF ANY, NOT SHOWN BY THE PUBLIC RECORDS, RIPARIAN RIGHTS AND THE TITLE TO ANY FILLED-IN LANDS.
- LANDS.
 DEFECTS, LIENS, ENCLMBRANCES, ADVERSE CLAMIS OR OTHER
 MATTERS, B' ANY, CREATED, PIRES APPEARING IN THE PUBLIC
 MATTERS, B' ANY, CREATED, PIRES APPEARING IN THE VIDEL
 HEREOF BUT PRORY TO THE DATE THE PROPOSED INSURED ACQUIRES
 OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE
 THEREON COMPRED BY THIS COMMITMENT.

COMMITMENT NO. NCS-1151403A-STLO (TAX MAP #16-4)

- A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE. B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF.
- RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES. NOT A SURVEY MATTER.
- ANY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGHTE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, OIL, OR UNDER THE LAVO OR PRODUCED PROM THE LAND. WHETHER SUGO OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, WHETHER SUCH UNWERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE, AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTEMENT THERETCY, WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PURI IC RECORDS

NOT A SURVEY MATTER.

- RESTRICTION FROHIBITING USE OF THE LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15 AND IN DEED DATED SEPTEMBER 17, 1921, RECORDED OCTOBER 7, 1921, IN NOT A SURVEY MATTER.
- EASEMENT GRANTED TO THE CITY OF CHARLOTTESVILLE, VIRGINIA, A MUNICIPAL CORPORATION, DATED AUGUST 12, 1937, RESORDED APRIL 6, 1938, IN DEED BOOK 94, PAGE 398. AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.
- MATTERS AS SHOWN ON PLAT ATTACHED WITH DEED RECORDED IN DEED BOOK 159, PAGE 292.
- THE PLOTTABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- RIGHTS OF OTHERS IN AND TO THE USE OF THAT PORTION OF THE LAND LOCATED WITHIN ANY ROADWAY.
- MULTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF MULTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND PRINTS, SECURITY AGREEMENT AND EXTITE FRUING (DEED OF TRUST') GRANTED BY WOODCOM APARTMENTS, LLC TO LISA MULTIFAMILY CAPTALL, OR THE BENEFIT OF BARRIESTS, CLC TO LISA MULTIFAMILY CAPTALL, OR THE PRINCIPLA AMOUNT OF \$2,000,00, DATED JULY 10, 2018, AND RECORDED ON JULY 10, 2018, AS NISTRUMENT NO. 20180000007, AS ASSIGNED TO FANNE MAE BY ASSIGNMENT MULTIFAMILY DEED OF TRUST DEED OF TRUST, I ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND

ASSIGNMENT OF LEASES & RENTS, UNDER A RE-RECORDING OF THE ASSISTMENT OF LEAGES & NEW IS, WILLER A RE-RECORDING OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 20160002668, AS ASSIGNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2016, AS INSTRUMENT NO. 20160002671.

NOTICE-DIENTIFICTURE FILING, UNDER A RE-RECORDED OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 20180000289, AS ASSIGNED TO FANNIE MAE LINDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2018, AS INSTRUMENT NO. 2018000289. AGREEMENT/EXTURE FILING LINDER A RE-RECORDED OF THE

NOT A SURVEY MATTER

COMMITMENT NO. NCS-11514038-STLO (TAX MAP 16-3)

- A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE. B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022. NOT A SURVEY MATTER.
- RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES.
- ANY CLAM TO (A) OWNERSHP OF OR RIGHTS TOMMERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ONES, METALS, COAL, LIGHTE, CO., GAS, LIGATUM, CALY, ROCK, SAND, AND GRAVEL LOCATED IN. ON, OR LINDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARRISE BY LESS, GRAVIT, EXCEPTION, CONNEYANCE, RESERVATION, OR OTHERWISE, AND (B) JANY RGHTS, PROVINCESS, MIMINITIES, RGHTS OF WIXE, AND ESCREMIST ASSOCIATED THEREWITH OR APPURTENANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS. NOT A SURVEY MATTER.
- MATTERS AS SHOWN ON PLAT ATTACHED WITH DEED RECORDED IN DEED BOOK 159, PAGE 292.
- THE PLOTTABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON
- THIS ITEM HAS BEEN INTENTIONALLY DELETED. MATTERS AS SHOWN ON PLAT ATTACHED WITH DEED RECORDED IN DEED BCOK 720, PAGE 527.
- THE FOLLOWING PLOTTABLE MATTERS ARE NOTED AND REFLECTED
- PAVED DRIVE POTENTIALLY ENCROACHES ONTO ADJOINING PROPERTY WESTERLY CORNER OF PROPERTY EXTENDS INTO EXISTING CONCRETE
- WATER AND GAS METERS
- BUILDING AND VARIOUS PHYSICAL IMPROVEMENTS
- DEED OF TRUST FROM WOODROW TOO, LLC, A VIRGINIA LIMITED LIABILITY COMPANY TO JAMES H. HUDSON, III, THOMAS F. CHERRY JASON E. LONG AND JOHN A. SEAMAN, III, TRUSTEE(S), DATED ONSON E. LUNG HAD JOHN A. SEARMAN, III, IROS LEE(S), DATED NOVEMBER 9, 2021, RECORDED NOVEMBER 9, 2021, AS INSTRUMENT NO. 202100005540, SECURING CITIZENS AND FARMERS BANK, AN INDEBTEDNESS IN THE ORIGINAL PRINCIPAL SUM OF \$400,000.00.
 - ASSIGNMENT OF RENTS FROM WOODROW TOO, LLC, A VIRGINIA LIMITED LIABILITY COMPANY TO CITIZENS AND FARMERS BANK, DATED NOVEMBER 9, 2021, RECORDED NOVEMBER 9, 2021, AS
- THIS ITEM HAS BEEN INTENTIONALLY DELETED
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.

COMMITMENT NO. NCS-1151403C-STLO (TAX MAP #16-2)

- A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022.
- RIGHTS OF TENANTS IN POSSESSION LINDER LINGECORDED LEASES. NOT A SURVEY MATTER.
- RESTRICTION PROHIBITING USE OF THE LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED DATED JULY 24, 1921, RECORDED MAY 9, 1922, IN DEED BOOK 40 PAGE 217.
- USE AND BUILDING COST RESTRICTIONS AS SET FORTH IN DEED DATED JUNE 25, 1927, RECORDED JULY 13, 1927, IN DEED BOOK 57, PAGE 312 AND IN DEED DATED SEPTEMBER 20, 1584, RECORDED OCTOBER 1, 1984, IN DEED BCOK 179, PAGE 282.
 - THERE ARE NO PLOTTABLE SURVEY-RELATED MATTERS.
- THIS ITEM HAS REEN INTENTIONALLY DELETED. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- MATTERS SHOWN ON A PLAT RECORDED IN PLAT BOOK 159 PAGE 293. THE PLOITABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON. AS SHOWN ON THE INCLUDED PLAT, LOT 35 MAY EXTEND NTO THE CURRENT RIGHT OF WAY OF CURRENT ADJOINING STREETS.
- CREDIT LINE DEED OF TRUST FROM WOODROW TOO LLC. A CREDIT LUB DEED OF TRUST FROM WOOD KON TO D.L.C. VIRGINIAL LIMITED LIBILITY COMPANDY TO RESOURCE SERVICE CORPORATION, A UNITED STATES OR VIRGINIA-CHARTES CORPORATION, TRUSTEE(S), SATE DI OFFICIER AT ZUBG, RECORDED OCTOBER 7, 2008, AS INSTRUMENT NO. 200800498; SECURION DE UTON DAMA IN INDESTRUMENT NO. 200800498; SECURIONAL PRINCIPAL TON DAMA IN INDESTRUMENT SIN THE ORIGINAL PRINCIPAL. SUM OF \$340,000.00, AS ADDITIONALLY SECURED BY
 - ASSIGNMENT OF RENTS FROM WOODROW TOO LLC, A VIRGINIA LIMITED LIABILITY COMPANY TO FULTON BANK, DATED OCTOBER 7, 2008, RECORDED OCTOBER 7, 2008, AS INSTRUMENT NO.

NOT A SURVEY MATTER.

THIS ITEM HAS BEEN INTENTIONALLY DELETED

- 11. AMY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, NCLUDING BUT NOT LIMITED TO ORES, METLAS, COAL, LIONITE OIL, GAS, URANIMI, CLAY, ROCK, SAND, AND GRAVIEL LOCATED IN, ON, OR LINDER THE LAND OR PRODUCED FROM THE LAND, WHETERER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE
- RIGHTS ANGSE OF LEASE, GWANT, EACLET IND, CUNIVETANCE, RESERVATION, OR OTHERWISE, AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTEMANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN TEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS.
- NOT A SURVEY MATTER. THIS ITEM HAS BEEN INTENTIONALLY DELETED.

COMMITMENT NO. NCS-1151403D-STLO (TAX MAP 16-5)

- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE. B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022 NOT SURVEY MATTERS

NOT A SURVEY MATTER.

NOT A SURVEY MATTER.

AMY CLAIM TO, OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, NCLUDING BUT NOT LIMITED TO GRES, HETALS, COCK, LICHINE, DO, GAS, URANIMA, CLAY, FOCK, SAND, AND GRAVEL.

LOCATED N. ON, OR HADER THE LAND OR PRODUCED PROBE THE LAND CREATED CONTROLLED FROM THE LAND CREATED CONTROLLED FROM THE LAND CREATED CONTROLLED FROM THE LAND THE LAND THE SECRET SAND CONTROLLED FROM THE LAND THE SECRET SAND GRAVEN THE SECRET OWNER SERVED THE ORD THE SECRET SON THE SECRET SON THE SECRET SON THE NITEMEST SO RIGHTS EXCEPTED IN TERMS (A) OR (B)

APPEAR IN THE PREIL CRECKINS.

NOT A SURVEY MATTER.

RESTRICTION PROHIBITING USE OF THE LAID FOR COMMERCIA. PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917. RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15, DEED, DATED JANUARY 23, 1921, RECORDED JANUARY 8, 1922, IN DEEL BOOK 39 PAGE 434 AND DEED DATED JANUARY 5, 1949, RECORDED JANUARY 6, 1949, IN DEED BOOK '42, PAGE 294.

THERE ARE NO PLOTTABLE MATTERS AFFECTING THE SUBJECT

- THIS ITEM HAS REEN INTENTIONALLY DELETED. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY DATED AUGUST 16, 1960, RECORDED SEPTEMBER 2, 1960, IN DEED BOOK 22 PAGE 371.

AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.

EASEMENT GRANTED TO CITY OF CHARLOTTESVILLE, VIRGINIA, DATED JULY 30, 1990, RECORDED AUGUST 7, 1990, IN DEED BOOK 546 FAGE 754

AFFECTS SUBJECT PROPERTY AS SHOWN HEREON MATTERS AS SHOWN ON PLAT ATTACHED WITH DEED RECORDED IN DEED BOOK 159 PAGE 392.

- THE PLOTTABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON.
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- TITLE TO THAT PORTION OF LOT 24 DESIGNATED AS "SEE CITY COUNCIL ORDINANCE VACATING 10" ALLEY DATED SEPT. 15, 1975" ON PLAT ATTACHED TO CERTIFICATE OF PLAT RECORDED IN DEED 300K 69¢ PAGE 576. NOTE REFERENCED ORDINANCE IS NOT OF RECORD AND DEEDS OF RECORD FOR LOT 24 DO NOT PURPORT TO CONVEY ANY PORTION OF SAID 31 FEY
- THE FOLLOWING SURVEY-RELATED ITEMS SHOWN ON THE PLAT ARE REFLECTED HEREON:
- COMBINING OF LOTS 24, 25, 26A, 26B, 27A, 27B & 28
- VACATION OF 10' ALLEY
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- MILTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING ('DEED OF TRUST') GRANTED BY WOODROW APARTMENTS, LLC TO LISA M. GRAZIANO, AS TRUSTEE, FOR THE BENEFIT OF BARINGS M. SPOZJANO, AS TRUSTEE, FOR THE BENEFIT OF BARRINGS 7,225,000.00, MINLTFRAME, VEATTAL LLC, B. THE PRINCIPIA AMOUNT OF 57,225,000.00, DATED JULY '10, 2018, AUD RECORDED ON JULY '10, 2018, AND RECORDED ON JULY '10, 2018 AMOUNT OF AND RECORDED OF TRUST, ASSIGNMENT MULTERAMLY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND GENTS, SECURITY AGREEMENT AND RECORD OF LEASES AND GENTS, SECURITY AGREEMENT AND FIXTURE FILING ("ASSIGNMENT") RECORDED ON JULY 10, 2018, AS INSTRUMENT NO. 20180/3002670, AS FURTHER SECURED BY:

ASSIGNMENT OF LEASES & RENTS, UNDER A RE-RECORDING OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 201800002688, AS ASSIGNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2018, AS INSTRUMENT

NO. 201000002011.
AGREEMENT/FIXTURE FILING, UNDER A RE-RECORDED OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 20180002069, AS ASSISNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSISMMENT ON JULY 10, 2018, AS INSTRUMENT

COMMITMENT NO. NCS-1151403E-STLO (TAX MAP #16-1)

- TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE. NOT A SURVEY NATTER.
- RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES. NOT A SURVEY MATTER
- NOT A SURVEY MATTER
 ANY CLAME TO, IN OWNERSHIP OF OR RICHTS TO MINERALS AND
 SIMILAR SUBSTANCES, INCLUDING BIL THOT LIMITED TO CRES, METALS,
 COLL, LIGHTED, CO, AS, URANIUM, CAY, POCK, SAND, AND GRAVEL
 LOCATED IN, ON, OR HORSE THE LAND OR PRODUCED PROJET THE LAND
 EXCEPTION, CONVEYENCE, RESERVANCE OR OTHER LAND,
 RIGHTS, PRIVILE CRES, MIMILITIES, RIGHTS OF WAY, AND EASEMENTS,
 ASSOCIATED THESE WITH OR APPRICATION THEREOF, WHETHER OR
 NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B)
 APPEAR IN THE PRICE CRECORDS.

NOT A SURVEY MATTER.

RESTRICTION PROHIBITING USE OF LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917. IN DEED BOOK 3C, PAGE 15.

THERE ARE NO PLOTTABLE MATTERS AFFECTING THE SUBJECT

- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- RESTRICTIVE COVENANTS AS SET FORTH IN DEED, DATED SEPTEMBER 20, 2011, RECORDED SEPTEMBER 22, 2011, AS INSTRUMENT NO. 2011003378.

THERE ARE NO PLOTTABLE MATTERS AFFECTING THE SUBJECT THERE ARE NO P-LOTTABLE MATTERS AFFECTING THE SUBJECT PROPERTY. THE AGREEMENT INCLUDES RESTRICTIONS OF DEVELOPMENT OF THE PROPERTY. VARIOUS PARKING-RELATED IMPROVEMENTS WHICH ARE APPURTENANT TO THE ADJOINING LOT (104 STADIUM RD.). INCLUDING A RETAINING WALL AND SIDEWALK, EXTEND ONTO THE SUBJECT PROPERTY.

THIS ITEM HAS BEEN INTENTIONALLY DELETED.

COMMITMENT NO. NCS-1151403F-STLO (TAX MAP 16-8)

- B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022.
- RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES NOT A SURVEY MATTER.
- EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY, DATED AS OF JUNE 16, 2015, RECORDED JULY 2, 2015, AS INSTRUMENT
- AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.
- THIS ITEM HAS BEEN INTENTIONALLY DELETED.
- THIS ITEM HAS BEEN INTENTIONALLY DELETED. THIS TIEM HAS BEEN INTENTIONALLY DELETED.

 ANY CLAMT FOR COMMERSHIP OF OR FORTHS TO MINERALS AND
 SIMLAR SUBSTANCES INCLUDING BLT NOT LIMITED TO CRES, METALS,
 COCAL, LIGHTE CO, OSC, DONAUM, AM, AT POOL, SAMD, AM, OF ORMER
 WETHER SUCH SYMERSHIP OR RIGHTS ARISE BY LEASE, GRANT,
 EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE, AMO, BANY
 RIGHTS, PRIVILEGES, MAINTIES RIGHTS OF HAY, AND EASEMENTS
 ASSOCIALED TREBUTY OR APPLIESED.

NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS. NOT A SURVEY MATTER.

- THIS ITEM HAS REEN INTENTIONALLY DELETED
- RESTRICTION PROHIBITING USE OF THE LAND FOR COMMERCIA PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15.

NOT A SURVEY MATTER.

USE AND BUILDING COST RESTRICTICNS AS SET FORTH III DEED DATED SEPTEMBER 17, 1921, RECORDED JANUARY 7, 1922, IN DEED BOOK 39, PAGE 349, IN DEED DATED JUNE 2, 1944, RECORDED JUNE 8, 1944, IN DEED BOOK 177, PAGE 42 AND IN DEED DATED DECEMBER 10, 1947, RECORDED DECEMBER 16, 1947, IN DEED BOOK 135, PAGE 411

104 STADIUM ROAD

Charlottesville, VA



PUD 11/17/2023

ORIGINAL ISSUE: 08/15/23 REVISIONS Description

58108 TIMM TIMM CHECKED BY

104 STADIUM ROAD

ALTA SURVEY (2 OF 4)

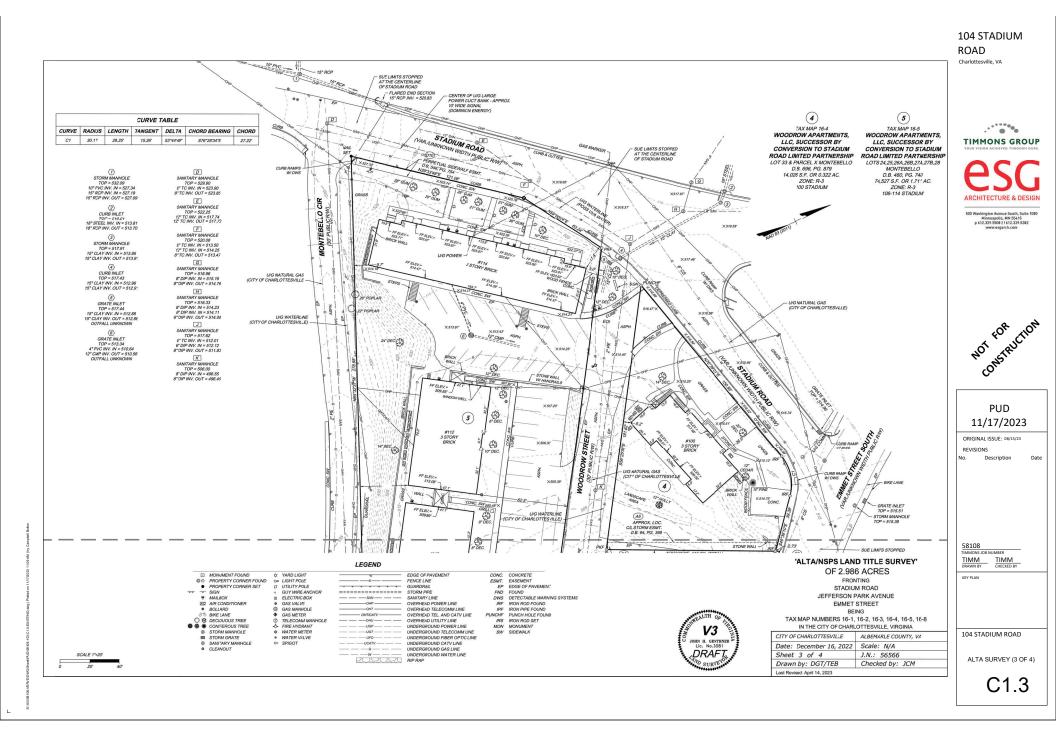
C_{1.2}

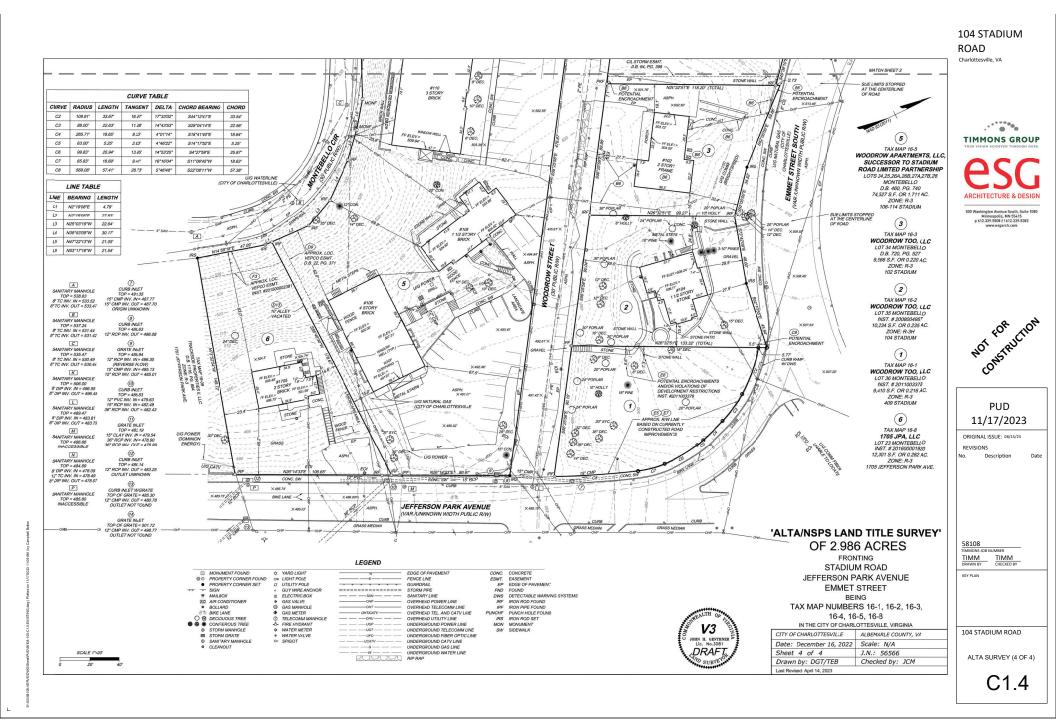
'ALTA/NSPS LAND TITLE SURVEY' OF 2.986 ACRES FRONTING

> STADIUM ROAD JEFFERSON PARK AVENUE EMMET STREET BEING

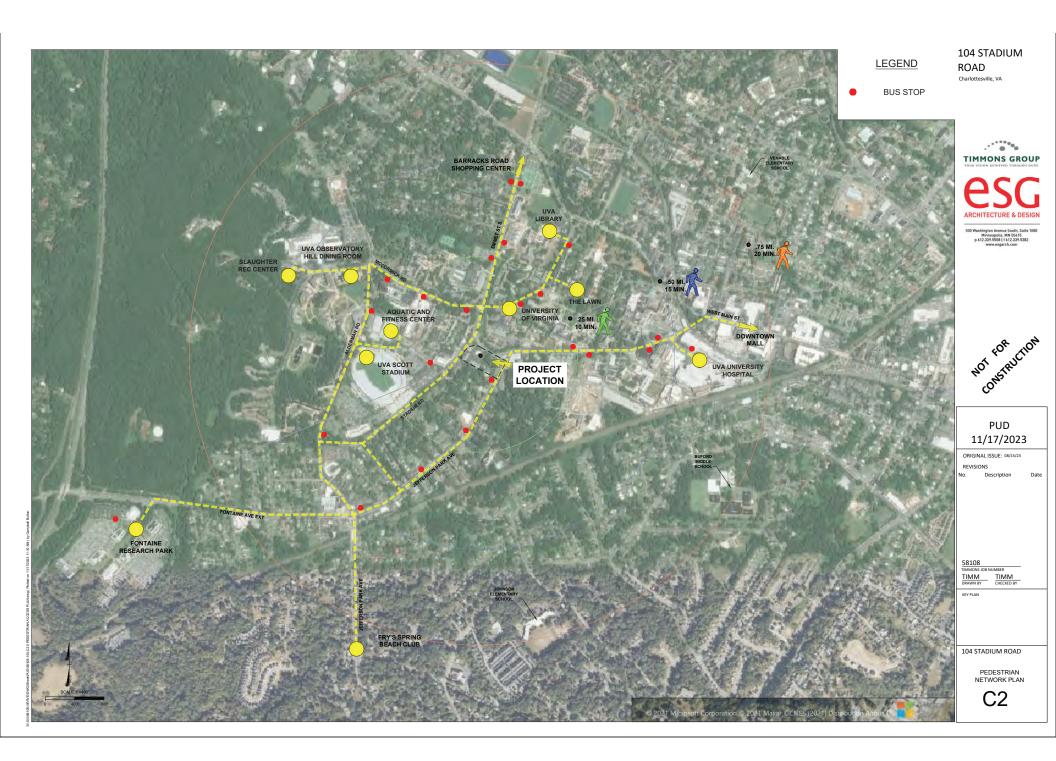
TAX MAP NUMBERS 16-1, 16-2, 16-3, 16-4, 16-5, 16-8

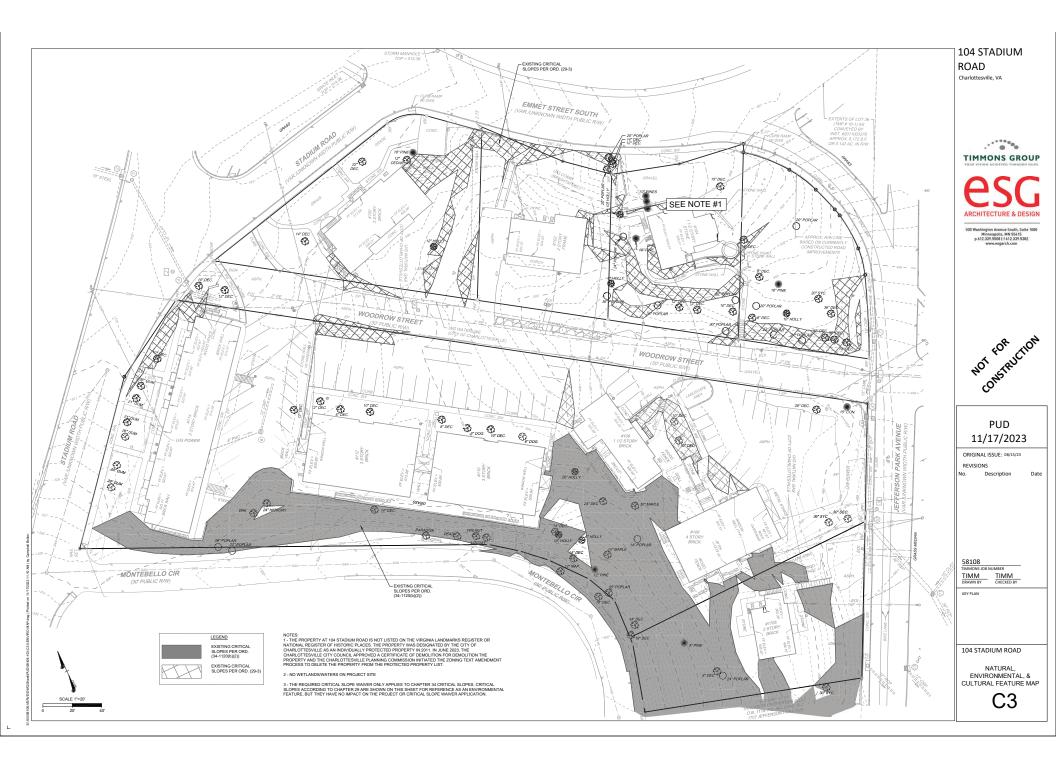
IN THE CITT OF CHARL	OTTESVILLE, VINGINIA	
CITY OF CHARLOTTESVILLE	ALBEMARLE COUNTY, VA	
Date: December 16, 2022	Scale: N/A	
Sheet 2 of 4	J.N.: 56566	
Drawn by: DGT/TEB	Checked by: JCM	
Last Revised: April 14, 2023		

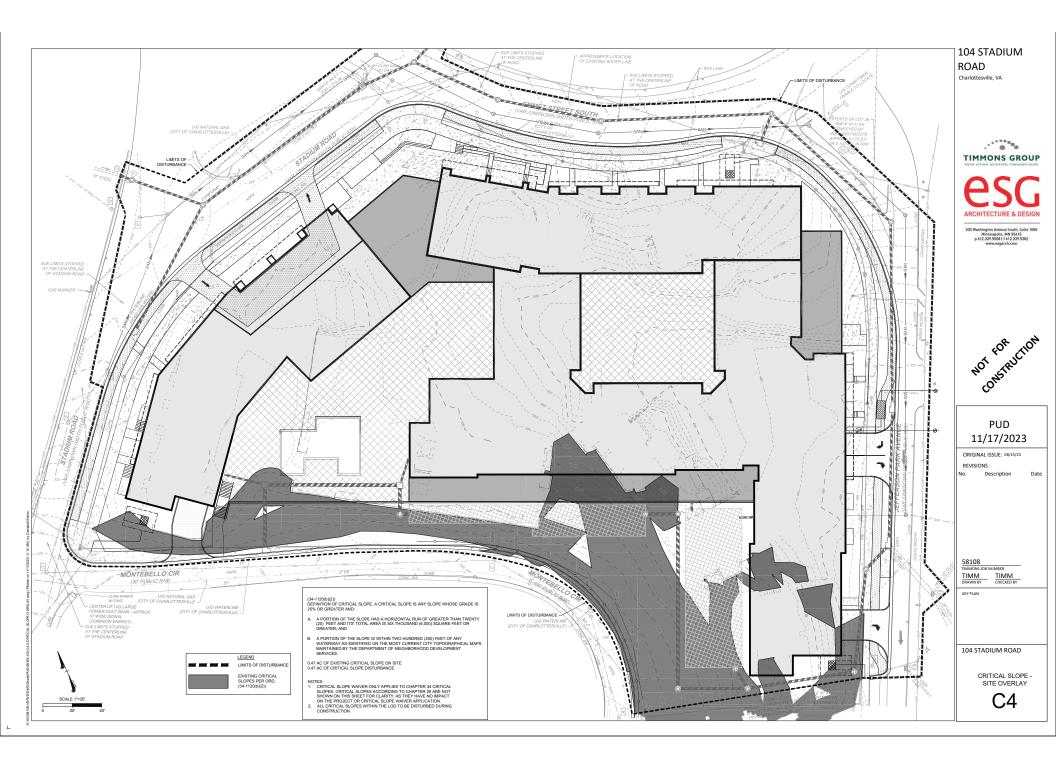


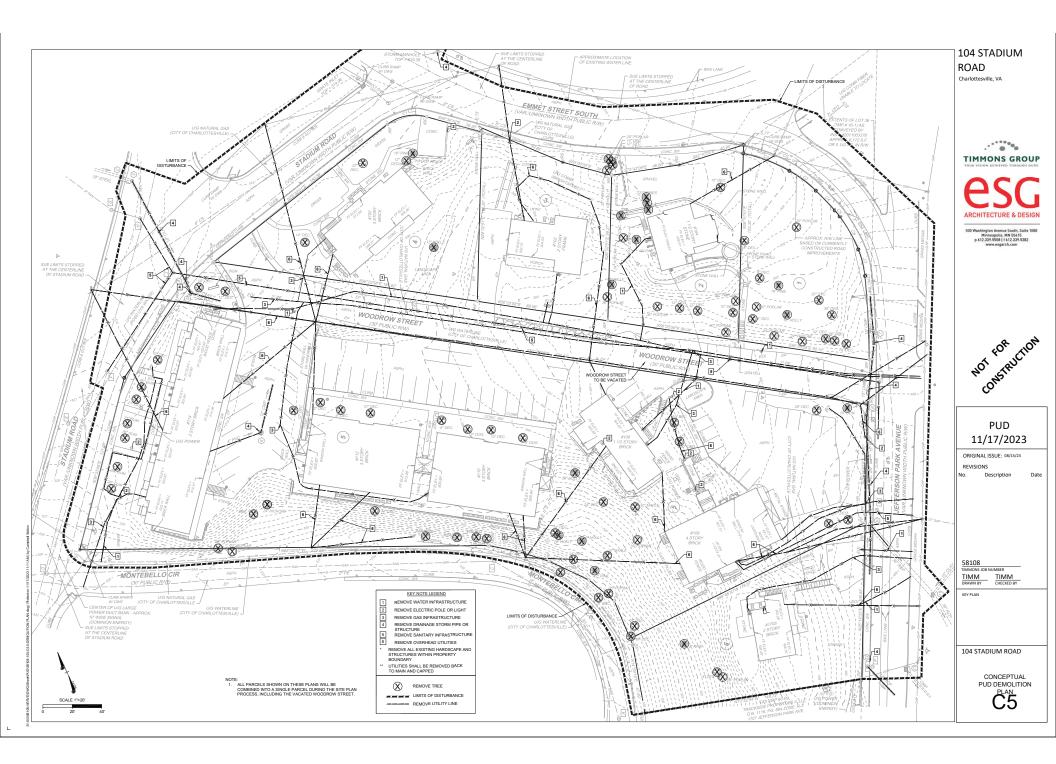


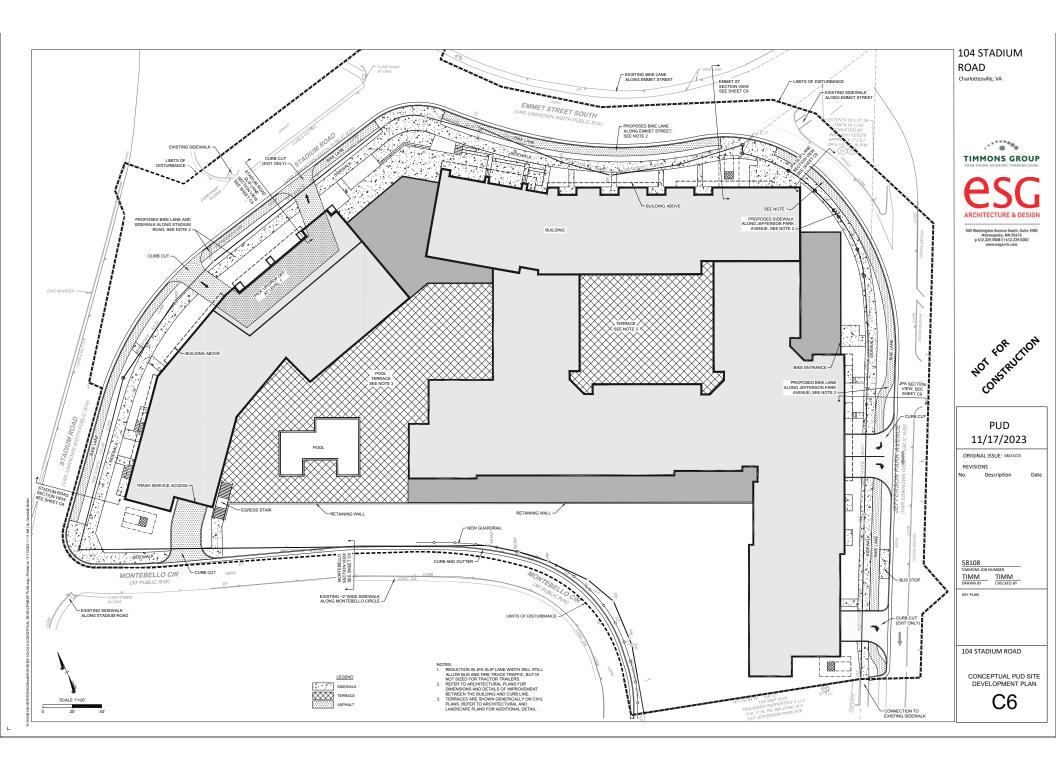
Page 148 of 227

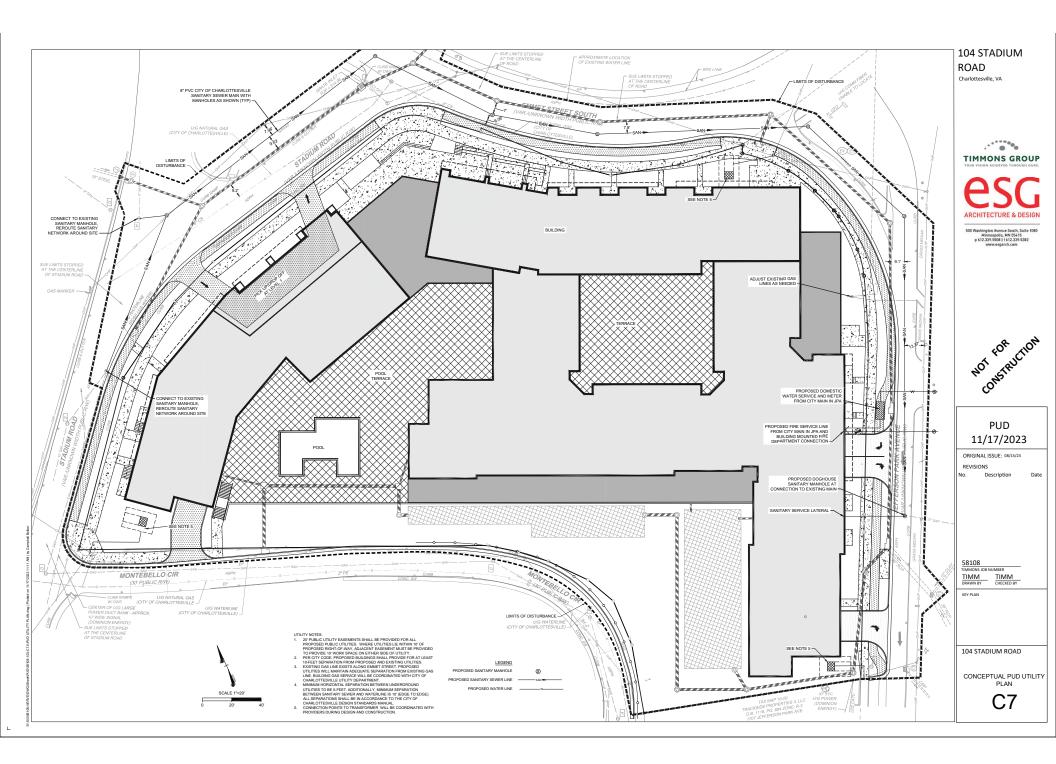


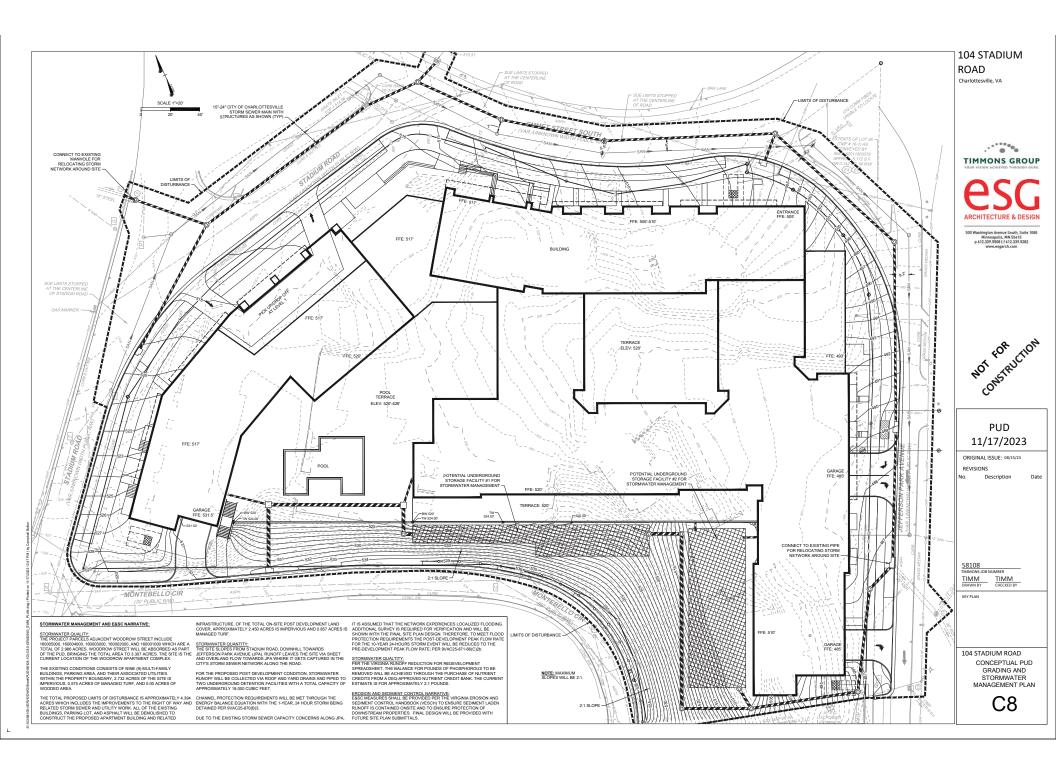


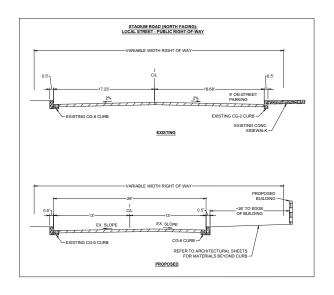


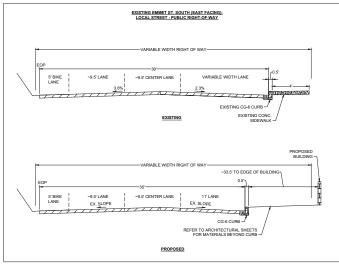


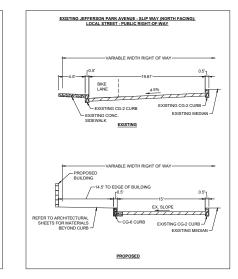


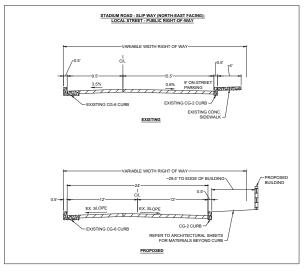


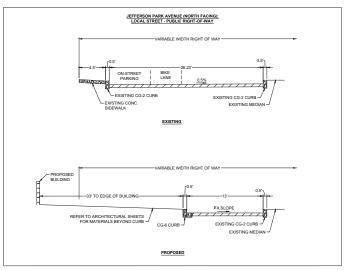


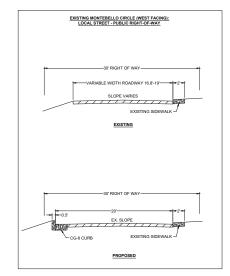








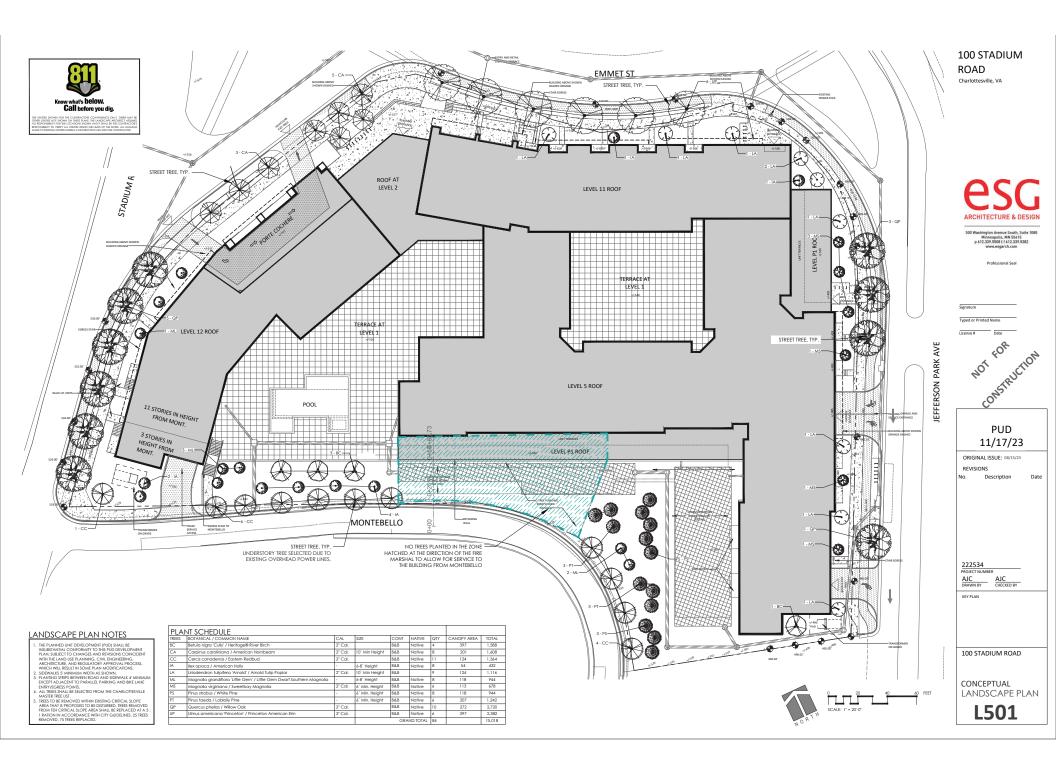




104 STADIUM **ROAD** Charlottesville, VA

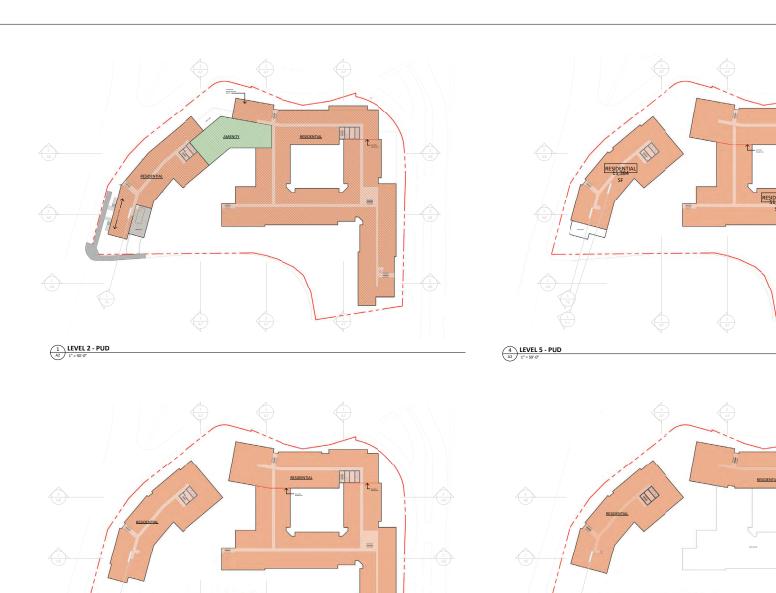
TIMMONS GROUP 500 Washington Avenue South, Suite 1080 Minneapolis, MN 55415 p 612.339.5508 | f 612.339.5382 www.esgarch.com

PUD 11/17/2023 ORIGINAL ISSUE: 08/15/23 REVISIONS 58108 TIMM TIMM CHECKED BY 104 STADIUM ROAD CONCEPTUAL PUD ROAD SECTIONS **C9**









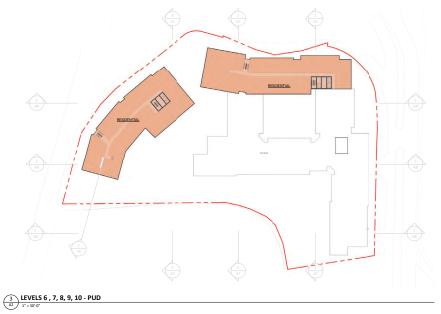
2 LEVELS 3, 4 - PUD 1" = 50'-0"

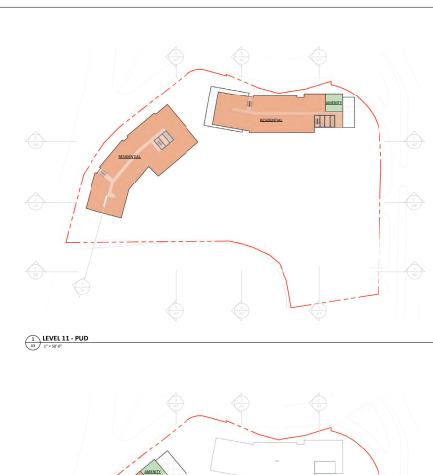
100 STADIUM ROAD Charlottesville, VA



NOT FOR CONSTRUCTION









Charlottesville, VA



NOT FOR CONSTRUCTION







100 STADIUM ROAD Charlottesville, VA







100 STADIUM ROAD

Charlottesville, VA

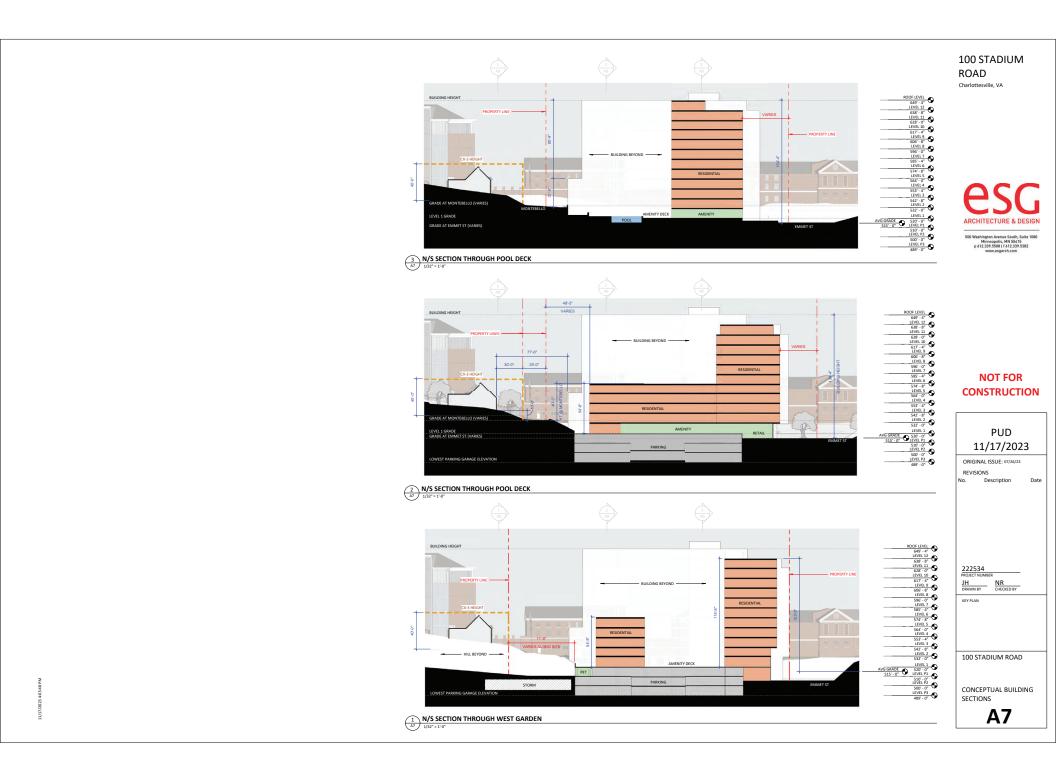


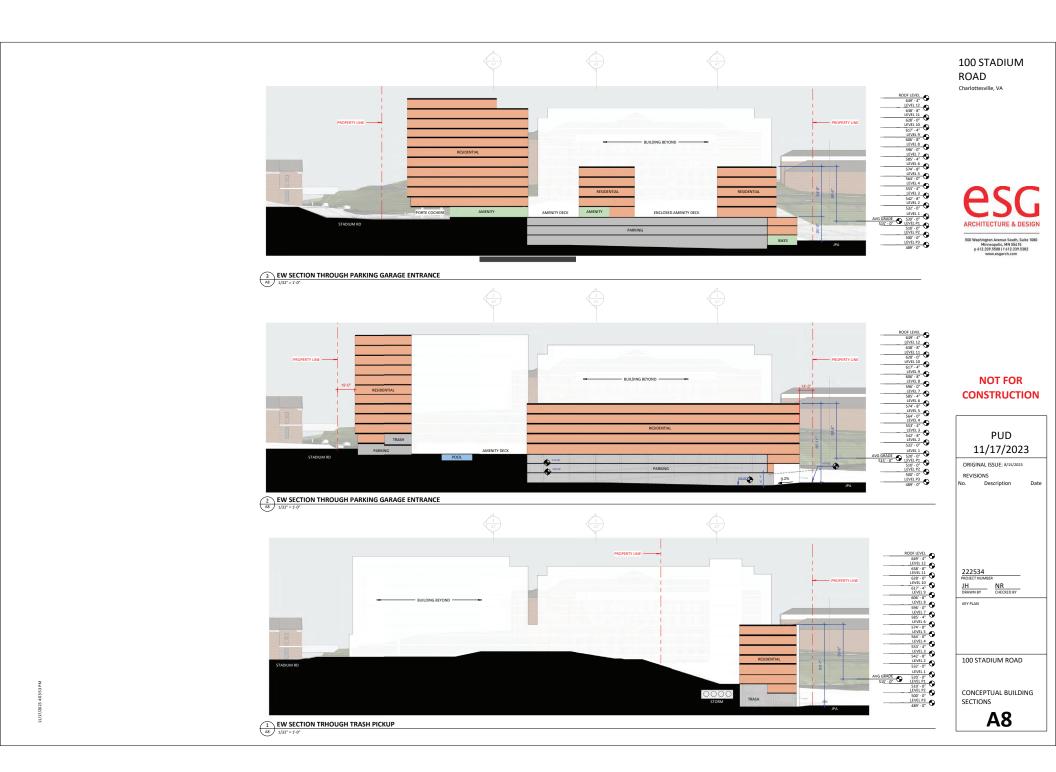
NOT FOR CONSTRUCTION





1 SOUTH ELEVATION 3/64" = 1'-0"







VIEW LOOKING TO SECONDARY ENTRY FROM NEAR JPA & EMMET STREET











NOT FOR CONSTRUCTION

0RIGINAL ISSUE: 08/03/23
REVISIONS
No. Description Date

PUD



100 STADIUM ROAD

CONCEPTUAL EXTERIOR RENDERINGS

Α9

NORTHEAST CORNER AT JEFFERSON PARK AVE & EMMET STREET





BIRDS EYE VIEW FROM NORTHWEST AT STADIUM ROAD & EMMET STREET INTERSECTION

Affordable Dwelling Unit Ordinance Worksheet

Step 1: Total Floor Area Ratio (FAR) of Site

E. Total site FAR:
$$\frac{562,400.00}{(total \ GFA \ of \ site)}$$
 \div $\frac{144,183.60}{(1.0 \ FAR)}$ = 3.90

YES: Proceed to Step 2 or Step 3.

Step 2: Number of ADUs Required

Step 3: Cash-in-Lieu Payment

J.	Cash-in-Lieu Amount Residential:	562,400.00	X	\$2.685	=	\$1,510,044.00
K.	Cash-in-Lieu Amount Mixed-Use:					
	Total GFA of development site:	581,200.00				
	GFA Occupied Commercial Space:	1,000.00				
	GFA Occupied Residential Space:	442,250.00				
	Total GFA Occupied Space:	443,250.00		% Residential:	1.00	
				Propotionate as occupied space GFA		
	GFA Non-Occupied Space*:	137,950.00			use:	137,638.78
	Amount of Payment:	579,888.78	X	\$2.685	_	\$1,557,001.36
	Amount of Fayment.	519,000.10	Λ	\$2.003		\$1,557,001.50

Source: U.S. Bureau of Labor Statistics, South Urban Region for Housing

^{*}GFA of non-occupied space shall include: (i) basements, elevator shafts and stairwells at each story, (ii) spaces used or occupied for mechanical equipment and having a structural head room of six (6) feet six (6) inches or more, (iii) penthouses, (iv) attic space, whether or not a floor has been laid, having a structural head room of six (6) feet six (6) inches or more, (v) interior balconies, and (vi) mezzanines. GFA shall not include outside balconies that do not exceed a projection of six (6) feet beyond the exterior walls of the building; parking structures below or above grade; or and roof top mechanical structures.

Step 4: Minimum Term of Affordability

L. Residential Project

i. Households earning up to 80% AMI:

Unit Type	Eff.	1BR	2BR	3BR	4BR	5BR	6BR
Number of Units							
Market Rent							
HUD Fair Market Rents	\$1,165.00	\$1,172.00	\$1,401.00	\$1,742.00	\$2,159.00	\$2,483.00	\$2,808.00
HUD Utility Allowance	\$60.00	\$81.00	\$104.00	\$128.00	\$162.00	\$0.00	\$0.00
Difference per Month	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Cost of ADU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Total Annual Cost of ADUs:

0.00 (Sum of Annual Cost of ADU)

Minimum Term of Affordability*:

#DIV/0!

(Cash-in-lieu payment / Total annual cost of ADUs)

M. Mixed-Use Project

i. Households earning up to 80% AMI:

Unit Type	Eff.	1BR	2BR	3BR	4BR	5BR	6BR
Number of Units	13	13	26	7	22	0	0
Market Rent	\$1,600.00	\$1,825.00	\$2,000.00	\$3,900.00	\$4,500.00	\$0.00	\$0.00
HUD Fair Market Rents	\$1,165.00	\$1,172.00	\$1,401.00	\$1,742.00	\$2,159.00	\$2,483.00	\$2,808.00
HUD Utility Allowance	\$60.00	\$81.00	\$104.00	\$128.00	\$162.00	\$0.00	\$0.00
Difference per Month	\$495.00	\$734.00	\$703.00	\$2,286.00	\$2,503.00	\$0.00	\$0.00
Annual Cost of ADU	\$6,435.00	\$114,504.00	\$219,336.00	\$192,024.00	\$660,792.00	\$0.00	\$0.00

Total Annual Cost of ADUs:

1,193,091.00 (Sum of Annual Cost of ADU)

Minimum Term of Affordability:

1.305014759 (Cash-in-lieu payment / Total annual cost of ADUs)

*If answer is less than 5, then minimum term of affordability will be 5 years.

Source: HUD FY2023 Fair Market Rents

Version 5/17/23

^{*}If answer is less than 5, then minimum term of affordability will be 5 years.

Original Proffers	X
Amendment	

PROFFER STATEMENT

Project Name: Verve Charlottesville

Date: December 19, 2023

Address: 100, 102, 104, 106-114, and 409 Stadium Road and 1705 Jefferson Park Avenue Parcel Numbers: 160001000, 160002000, 160003000, 160004000, 160005000, 160008000

Owner of Record: Woodrow Apartments, LLC; Woodrow Too, LLC; 1705 JPA LLC (the "Owner")

Proposal:

• Rezone 100,102,104,106-114, and 409 Stadium Road and 1705 Jefferson Park Avenue, parcels 160001000, 160002000, 160003000, 160004000, 160005000, 160008000 (3.31 acres) (the "Property"), from R-3 district to Planned Unit Development (PUD) district with proffers (the "Project");

Total land area: Approximately 3.31 acres

The Owner hereby voluntarily proffers that if the City of Charlottesville City Council acts to rezone the property as requested, the Owner shall develop the Property in general accord with the following proffers pursuant to Sections 15.2-2303 and 15.2-2303.4 of the Code of Virginia, 1950, as amended, and pursuant to Section 34-41.d.8 of the City of Charlottesville Zoning Ordinance. The Owner specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signatures below. This Proffer Statement shall run with the Property and each reference to the "Owner" within this Proffer Statement shall include within its meaning, and shall be binding upon, Owner's successor(s) in interest and/or the developer(s) of the Property or any portion of the Property.

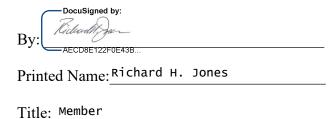
1. <u>Affordable Housing</u>: The Owner shall make a cash contribution to the City's affordable housing fund in the amount equal to Six Million, Eight Hundred Thousand Dollars (\$6,800,000.00). Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

OWNER:

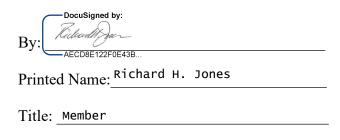
Woodrow Apartments, LLC

a Virginia limited liability company



Woodrow Too, LLC

a Virginia limited liability company



1705 JPA, LLC

a Virginia limited liability company

By: Ridwell Jun
Printed Name: Richard H. Jones
Title: Member

104153884.3

AN ORDINANCE

APPROVING A REQUEST TO REZONE LAND FRONTING ON JEFFERSON PARK AVENUE, STADIUM ROAD, EMMET STREET, AND MONTEBELLO CIRCLE FROM MULTIFAMILY RESIDENTIAL (R-3) TO PLANNED UNIT DEVELOPMENT (PUD)

WHEREAS, Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC (collectively the "Landowners") of certain land fronting on Jefferson Park Avenue, Stadium Road, Emmet Street, and Montebello Circle, designated on the City Tax Map and Parcel (TMP) as 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 (collectively, hereinafter, the "Subject Property"), and the Landowner is seeking to change the zoning classifications of the Subject Property from R-3 to PUD hereinafter referred to as the "Proposed Rezoning"; and

WHEREAS, a public hearing on the Proposed Rezoning was conducted by the Planning Commission on January 9, 2024 and City Council on January 16, 2024, following notice to the public and to adjacent property owners as required by Virginia Code §15.2-2204 and City Code §34-44, and following the public hearing on January 9, 2024, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

WHEREAS, this City Council has considered the matters addressed within the Landowner's application (ZM23-00004), the NDS Staff Report, public comments, the Planning Commission's recommendation, and the Comprehensive Plan; and

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

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

Section 34-1. Zoning District Map. Rezoning the property designated on City Tax Map and Parcel (TMP) 2160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 ("Subject Property"), containing, in the aggregate approximately 3.3 acres (approximately 144,002 square feet), from R-3 (Multifamily Residential) to PUD (Planned Unit Development) as described in application ZM23-00004 and the VERVE Charlottesville PUD Development Plan Dated November 17, 2023, with the following Proffer:

1. Affordable Housing: The Owner shall make a cash contribution to the City's affordable housing fund in the amount equal to Six Million, Eight Hundred Thousand Dollars (\$6,800,000.00). Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

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

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Consideration of a Rezoning Application

Presenter: Dannan OConnell, Planner

Staff Contacts: Dannan OConnell, Planner

Title: Ordinance to Rezone land fronting on Ivy Road and Copeley Road related

to the "2117 Ivy Road Plan Unit Development Plan Submittal"

Background

Williams Mullen (Applicant), on behalf of RMD Properties, LLC (Owner), has submitted an application pursuant to City Code 34-490 seeking a zoning map amendment to change the zoning district classification for 2117 Ivy Road, City Tax Map Parcel 070001200. The application proposes to change the zoning classification of the Subject Property from "URB" (Urban Corridor) to "PUD" (Planned Unit Development) subject to proffered development conditions.

Discussion

The Planning Commission held an in-person and virtual joint Public Hearing with City Council on November 14, 2023 on this matter. The Planning Commission and City Council expressed the following:

- Additional higher-density student housing close to the University of Virginia campus is desirable.
- Bike parking and pedestrian improvements are desirable and would contribute positively to the Ivy Road corridor area.
- The proposed building height is above the maximum of eight stories noted in the Comprehensive Plan.
- Traffic congestion on the adjacent intersection is a problem, but development of the parcel would not make this traffic significantly worse.

Planning Commissioners and City Council members noted that the proposed proffered cash-in-lieu payment for affordable housing was below the amount currently being considered for the City's new affordable housing regulations. The Planning Commission discussed the merits of providing on-site affordable dwelling units versus a cash-in-lieu payment, but did not come to a consensus as to which option was preferred. Commissioners noted that the height of the proposed building was out of scale with existing planning documents. The Commission Chair mentioned the possibility of scaling the structure down to eight stories, although several other Commissioners stated that the proposed tenstory height was not a significant problem. Overall, the Planning Commission was supportive of the

rezoning request, and argued that the benefits of dense, walkable student housing outweighed the potential downsides of development. The Commission voted 6-0 to recommend approval of the rezoning.

Staff note: A recording of the meeting can be found at the following link. Discussion starts at the 02:12:00 mark.

Link to November 14, 2023 Public Hearing.

Staff note: The full application for this project can be found at the following link. Materials start on page 278.

Link to application, background materials and staff report.

Following the November 14, 2023 joint Public Hearing, the applicants submitted revised materials based on feedback they received from the Planning Commission and City Council. Additional changes to the proffer statement were made after Council's December 18, 2023 consideration of this rezoning. The applicant's revised PUD Development Plan, revised final proffer statement and a cover letter noting all changes are attached to this agenda item.

Alignment with City Council's Vision and Strategic Plan

If City Council approves this rezoning request, the project could contribute to the *Housing* goal of the City Vision Statement: "Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan."

Community Engagement

On May 18, 2023 the applicant held a community meeting in-person at St. Mark Lutheran Church. The applicant gave an overview of the project as it related to the need for a rezoning. Thirty-three members of the public attended the meeting and expressed the following:

- The proposed structure is significantly out of scale with the surrounding neighborhood.
- The Ivy/Alderman/Copeley Road intersection experiences significant traffic slowdowns during peak hours and special events. Redevelopment of the parcel would exacerbate this traffic.
- Insufficient off-street parking is proposed, which will cause parking problems for the adjacent residential neighborhood.
- No significant affordable housing contribution was initially proposed as part of this rezoning.

The Planning Commission held a joint public hearing with City Council on this matter on November 14, 2023. Eight members of the public spoke on the application, and expressed the following:

- The size of the proposed structure is out of scale with the surrounding neighborhood and the University of Virginia campus.
- Increases in traffic congestion along Copeley Road will result from the proposed development.
- The design of the structure is not in keeping with the City's Entrance Corridor design guidelines.
- The project will contribute to more affordable housing close to the University of Virginia campus.

• The project will create more walkable and bike-friendly housing to reduce reliance on personal automobiles and meet City climate adaptation goals.

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

Budgetary Impact

This has no impact on the General Fund.

<u>Recommendation</u>

The Planning Commission voted 6-0 to recommend that the application for rezoning be approved.

Suggested:

"I move to approve the ORDINANCE for application ZM23-00003 rezoning the Property located at 2117 lvy Road, City Tax Map Parcel 070001200 from Urban Corridor (URB) to Planned Unit Development (PUD)."

Alternatives

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

Attachments

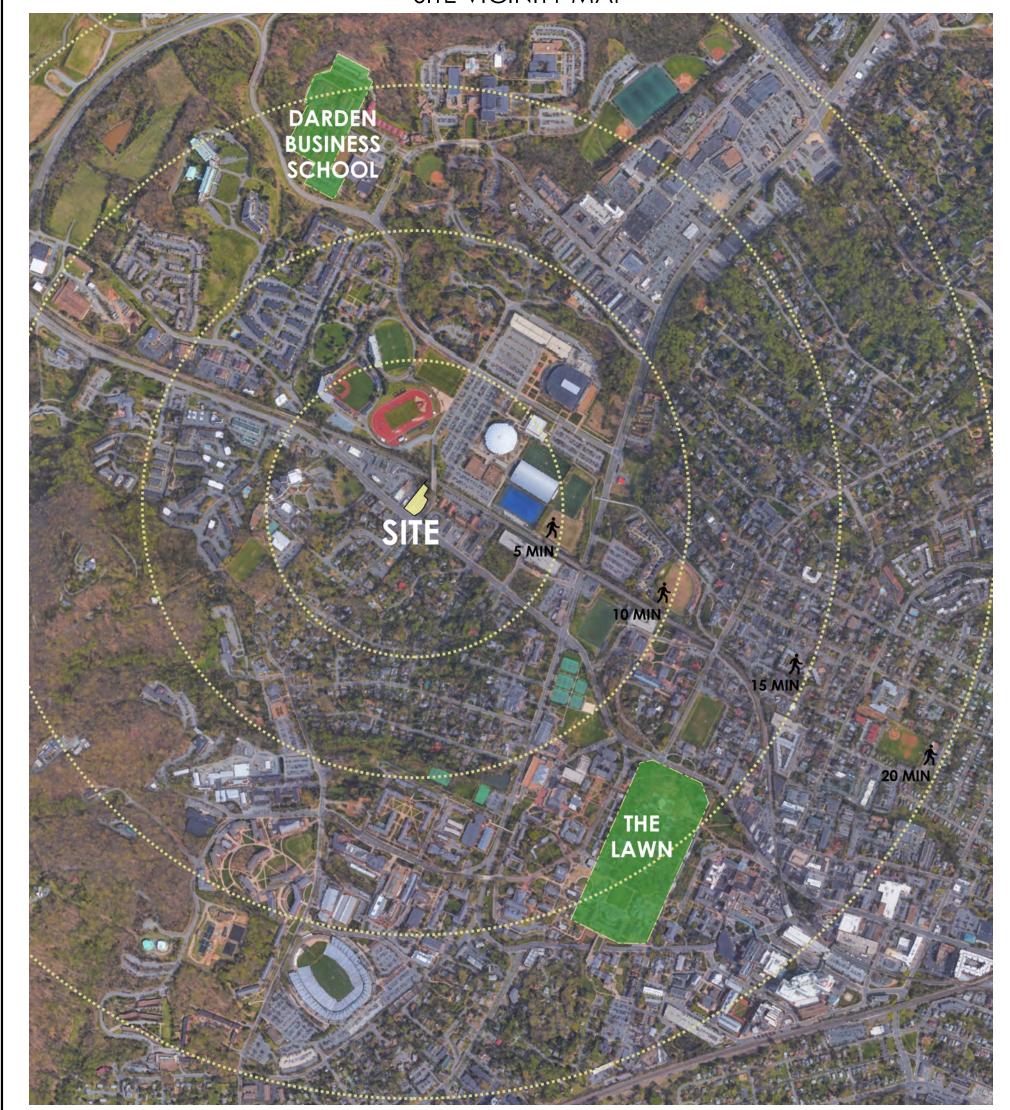
- 1. 2117 Ivy Road PUD Development Plan revised November 21, 2023
- 2. Signed proffer statement and 'Exhibit A' dated December 19, 2023
- 3. Rezoning Ordinance
- 4. Applicant memo outlining changes made to the PUD after the December 18, 2023 Council Meeting

2117 IVY ROAD

CHARLOTTESVILLE, VA 22903

PLANNED UNIT DEVELOPMENT PLAN SUBMITTAL
MAY 15, 2023 - REVISED AUGUST 02, 2023 - REVISION #2 OCTOBER 6, 2023
REVISION #3 NOVEMBER 21, 2023

SITE VICINITY MAP





NOTE: ALL DRAWINGS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PER FINAL ARCHITECTURAL, CIVIL, AND SITE DESIGN. PROPERTY IS LOCATED WITHIN A CITY DESIGNATED ENTRANCE CORRIDOR, AND FINAL DESIGN WILL BE SUBJECT TO REVIEW AND APPROVAL BY THE ENTRANCE CORRIDOR REVIEW BOARD.

DF	RAWING INDEX - CIVIL	DRAW	DRAWING INDEX - ARCHITECTURE				
SHEET NUMBER	SHEET NAME	Sheet Number	Sheet Name				
C-001	alta NSPS Land Title Survey	A-001	COVER				
C-002	EXISTING CONDITIONS PLAN	A-002	ZONING INFORMATION				
C-003	LAYOUT & UTILITIES PLAN	A-003	ARCHITECTURAL SITE PLAN AND BUILDING INFORMATION				
C-004	GRADING AND DRAINAGE PLAN	A-004	CONCEPTUAL OUTDOOR AMENITY SPACE DIAGRAM				
C-005	LANDSCAPE PLAN	A-005	CONCEPTUAL FLOOR PLANS				
		A-005A	ENLARGED FLOOR PLANS - LEVEL B1				
		A-005B	ENLARGED FLOOR PLANS - LEVEL 1				
		A-005C	ENLARGED FLOOR PLANS - LEVEL 2				
		A-005D	ENLARGED FLOOR PLANS - LEVEL 3 (TYPICAL)				
		A-005E	ENLARGED FLOOR PLANS - LEVEL ROOF				
		A-006	CONCEPTUAL ELEVATIONS				
		A-007	CONCEPTUAL ELEVATIONS				
		A-008	CONCEPTUAL BUILDING SECTIONS				
		A-009	CONCEPTUAL BUILDING SECTIONS				
		A-010	CONCEPTUAL PERSPECTIVE IMAGES				
		A-010A	CONCEPTUAL PERSPECTIVE IMAGES				
		A-011	CONCEPTUAL SITE SECTION				
		A-012	INTERIOR COURTYARD VIEWS				

WDG

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PUD SUBMISSION 05/15/23

 PUD SUBMISSION
 05/15/23

 PUD RESPONSE
 08/02/23

 PUD RESPONSE #2
 10/06/23

 PUD RESPONSE #3
 11/21/23

NOT TO SCALE

WDG PROJECT NO:

COVER

A-001

IMPLEMENTATION OF PLANNED UNIT DEVELOPMENT REGULATIONS:

THIS PUD SHALL BE REGULATED CONSISTENT WITH SECTION 34-518 AND 34-519 OF THE CITY ZONING ORDINANCE IN EFFECT AS OF OCTOBER 2023

CURRENT URB ZONING

Use Types under Existing Zoning Ordinance s = Permitted; () = Use Not Allowed; P = Provisional Use Permit; S = Special Use Permit; T = Temporary Use Permit; A = Ancillary Use **CURRENT ZONING MAP** Existing Zoning: URB Proposed PUD (for Reference) ctronic gaming café uneral home (without cremator GFA up to 10,000 SF uneral homes (with crematory) GFA 4,000 SF or less GFA up to 10,000 SF Golf course Golf driving range Hospital Up to 100 guest rooms 100+ guest rooms mitted by-right under draft ZO as Personal Laundromats Libraries Manufactured home sales licro-producers mitted by-right under draft ZO mall Breweries Mobile food units nitted by-right under draft ZO as General Movie theaters, cineplexes door entertainment and recreation Municipal/governmental offices, buildings, courts Up to 4,000 SF, GFA Up to 10,000 SF, GFA Business and professional Philanthropic institutions/agencies roperty management (ancillary to MFD) Other offices (non-specified) Outdoor storage, accessory Parking garage Permitted under draft ZO Surface parking lot (19 or less spaces) Permitted under draft ZO Surface parking lot (more than 20 spaces) ermitted under draft ZO as Temporary Surface Temporary parking facilities Parking Lot hotography studio Photographic processing; blueprinting Radio/television broadcast stations Recreational facilities: Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, rmitted by-right under draft ZO as General ecreation centers, etc. (on City-owned, City School Board-owned, or other public property) Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, ecreation centers, etc. (on private property) ermitted by-right under draft ZO as Personal GFA 4,000 SF or less Permitted by-right under draft ZO as Personal GFA (4,001—10,000 GFA more than 10,000 Permitted by-right under draft ZO Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (citywned), and related concession stands Outdoor: Parks, playgrounds, ball fields and ball mitted by-right under draft ZO as General courts, swimming pools, picnic shelters, etc. (private) estaurants: mitted by-right under draft ZO as General All night ood and beverage Drive-through windows Permitted by-right under draft ZO as General Fast food Permitted by-right under draft ZO as General ermitted under draft ZO as General Indoor Full service food and beverage Permitted by-right under draft ZO as General 24-hour food and beverage Towing service, automobile echnology-based businesses axi stand Transit facility mitted under draft ZO as Temporary Outdo ility lines NON-RESIDENTIAL USES: RETAIL Accessory buildings, structures and uses Consumer service businesses: Up to 4,000 SF, GFA Up to 10,000 SF, GFA 10,001+ GFA Permitted by-right under draft ZO Farmer's market Greenhouses/nurseries Grocery stores: convenience General, up to 10,000 SF, GFA General, more than 10,000 SF, GFA ermitted by-right under draft ZO as General Home improvement center 1-1,700 SF, GFA 1,701-4,000 SF, GFA 4,001+ SF, GFA ermitted by-right under draft ZO as Genera Shopping centers Permitted by-right under draft ZO as General Shopping malls Temporary sales, outdoor (flea markets, craft fairs, romotional sales, etc.) Other retail stores (non-specified): Up to 4,000 SF, GFA 4,001 SF to 20,000 SF GFA More than 20,000 SF, GFA NON-RESIDENTIAL: INDUSTRIAL Accessory buildings, structures and uses Beverage or food processing, packaging and bottling Brewery and bottling facility Compounding of cosmetics, toiletries, drugs and pharmaceutical products onstruction storage yard Temporary construction yard

Use Types under Existing Zoning Ordinance

Existing

Zoning: URB

nitted by-right under draft ZO

nitted by-right under draft ZO

ermitted by-right under draft ZO

ermitted by-right under draft ZO

door entertainment and recreation

rtainment and recreation

tainment and recreation

mitted by-right under draft ZO

mitted by-right under draft ZO

mitted by-right under draft ZO as Education

rmitted by-right under draft ZO as Education

Permitted by-right under draft ZO as Education

ermitted by-right under draft ZO as Education

Contractor or tradesman shop (HAZMAT)

Industrial equipment: service and repair

Laboratory, pharmaceutical >4,000 sq. ft.

utdoor storage, accessory to industrial use

Greenhouse/nursery (wholesale)

Laboratory, medical >4,000 sq. ft.

Janitorial service company

Landscape service company Laundries Manufactured home sales

nting/publishing facility Open storage yard

Self-storage companies

Welding or machine shop

Vholesale establishments

Research and testing laboratories

Manufacturing, light oving companies

Frozen food lockers

Kennels

<4,000 sq. ft.

ermitted under draft ZO as General Indoor

roposed PUD (for Reference

= Permitted; () = Use Not Allowed; P = Provisional Use Permit; S = Special Use Permit; T = Temporary Use Permit; A = Ancillary Use

В

В

RESIDENTIAL AND RELATED USES

Accessory buildings, structures and uses (residential)

Night watchman's dwelling unit, accessory to industrial

Amateur radio antennas, to a height of 75 ft.

oarding: fraternity and sorority house

oarding house (rooming house

Accessory apartment, internal

Adult assisted living

Bed-and-breakfasts:

riminal justice facility

Single-family attached

Single-family detached Townhouse

Two-family

Family day home 1—5 children

6-12 children

Nursing homes

1—8 residents

Shelter care facility

8+ residents

OMMERCIAL

Amusement center

Occupancy, residential 3 unrelated persons

4 unrelated persons

Residential treatment facility

Single room occupancy facility

nixed-use development or use

Animal boarding/grooming/kennels

With outside runs or pens

Art gallery: GFA 4,000 SF or less

GFA up to 10,000 SF

Arena, stadium (enclosed

uditoriums, theaters

Houses of worship

Assembly (outdoor)
Amphitheater

Assembly plant

Automobile uses:

Arena, stadium (open)

Assembly plant, handcraft

Auto parts and equipment sales

Repair/servicing business

Tire sales and recapping

3anks/financial institutions

Health clinic (no GFA limit)

Communications facilities:

Carrier on wheels (COW)

ttachment structure

Monopole tower

Guyed tower

Lattice tower

Self-supporting tower

Data center >4,000

<4.000 Daycare facility

Elementary

High schools

Colleges and universities

Health clinic (up to 10,000 SF, GFA)

Health clinic (up to 4,000 SF, GFA)

Veterinary (with outside pens/runs)

Veterinary (without outside pens/runs)

Attached facilities utilizing utility poles as the

Attached facilities not visible from any adjacent street

or property
Attached facilities visible from an adjacent street or

property (if painted to match attachment structure)

contractor or tradesman's shop, general

Dry cleaning establishments
Educational facilities (non-residential)

Artistic instruction, up to 4,000 SF, GFA

Artistic instruction, up to 10,000 SF, GFA

Vocational, up to 4,000 SF, GFA

Vocational, up to 10,000 SF, GFA

Crematorium (independent of funeral home)

Bakery, wholesale GFA 4,000 SF or less

GFA up to 10,000 SF

Bowling alleys

Catering business

Public health clinic

Clubs, private

Car wash

Cemetery

Animal shelter

Art workshop

Assembly (indoor)

Without outside runs or pens

Art studio, GFA 4,000 SF or less

Temporary family health care structure NON-RESIDENTIAL: GENERAL AND MISC.

Accessory buildings, structures and uses

Access to adjacent multifamily, commercial, industrial of

Amusement enterprises (circuses, carnivals, etc.)

Maximum capacity greater than or equal to 300

Temporary (outdoor church services, etc.)

Rental/leasing (such as Zipcar or similar car share

Amusement park (putt-putt golf; skateboard parks, etc.)

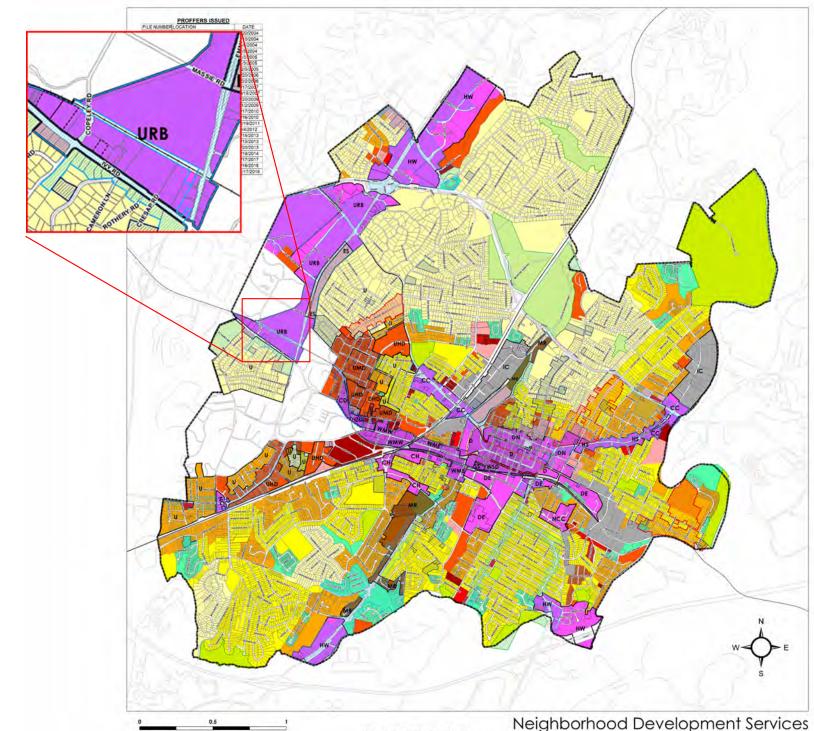
Home occupation Manufactured home parks

Greater than 8 residents

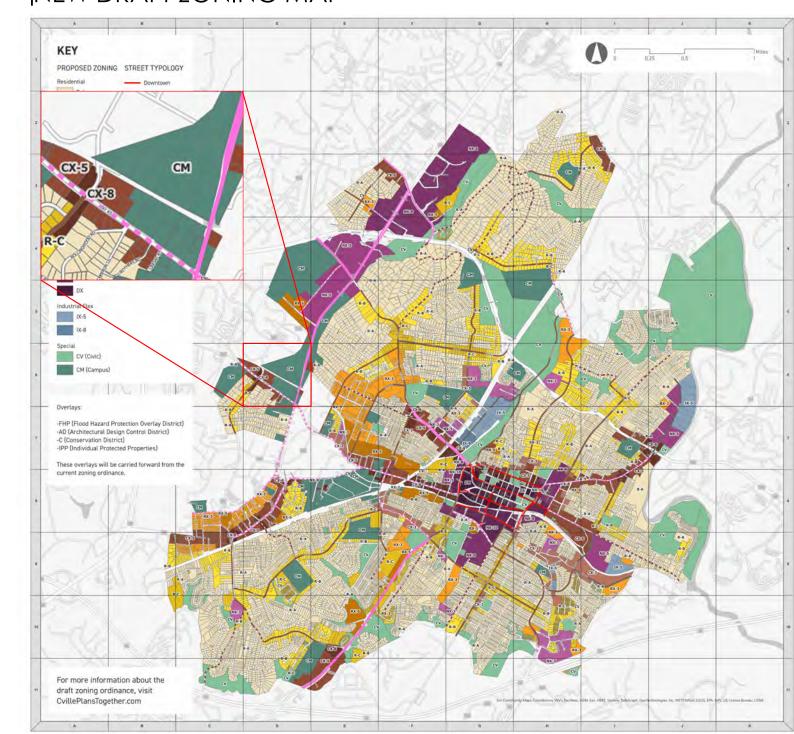
1-8 residents

Adult day care

Accessory apartment, external



INEW DRAFT ZONING MAP



PROPOSED CX-8 ZONING Use Types under Draft Zoning Code

Draft Zoning

Proposed PUD | Code: CX-8

= Use allowed; S= Special Use Permit required; (*) = Use standards apply; (-) = Use Not Allowed

usehold Living

eligious assembly

General Education

ttachment structure)

Day Care

ducation

emetery

Data center

lomestay

Approved April 6, 2009

criminal justice facility

roup Living

Seneral household living

lanufactured home park

General group living (up to 8 residents)

dult assisted living (up to 8 residents)

Residential treatment facility (up to 8 residents)

esidential treatment facility (8+ residents

General group living (8+ residents)

dult assisted living (8+ residents)

PUBLIC AND INSTITUTIONAL USES

ay care center (1 to 12 persons)

College, university or vocational school Parks & Open Space

Jtility, minor

Communication facility, attached (utility pole or not

Communication facility, attached (visible-painted to match

Seneral parks and open space

lay care center (12+ persons)

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PUD SUBMISSION 05/15/23 PUD RESPONSE 08/02/23 PUD RESPONSE #2 10/06/23

PUD RESPONSE #3 11/21/23

WDG PROJECT NO: WA22014

© 2023 ZONING INFORMATION

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WDG PROJECT NO:

ARCHITECTURAL SITE PLAN AND BUILDING INFORMATION

SCALE: As indicated

A-003

RKING INFORMATION	Factor	Spaces	Spaces/ Unit	Spaces/Bed
VEHICULAR PARKING	D		y .	
uired Residential Parking (per Zoning Section 34-984 - Boarding House - 0.3 spaces /bedroom):	634	190	0.79	0.30
uired Retail Commercial Parking (per Zoning Section 34-984 - General - 3.5 spaces/ 1,000 sf):	1,757 SF	6		
vided:			40	
andard Parking Spaces:		100		
ompact Parking Spaces:		4		
ndem - Standard Parking Spaces:		41		
ndem - Compact Parking Spaces:		9		
dditional "Effective Parking" - Resident Car Share - (1 is equivalent to 30 standard spaces):	2	60		
cessible Parking Spaces (includes HC van and car spaces):		8		
al Vehicular Parking Provided (including car share "Effective Spaces"):		222	0.92	0.35
	. 3			
BICYCLE AND SCOOTER PARKI	NG			
uired:				
g Term (per Zoning Section 4.3.3.C.1)				
esidential Household Living - 1 per unit	242	247	1.00	0.38

Required:				
Long Term (per Zoning Section 4.3.3.C.1)				
Residential Household Living - 1 per unit:	242	242	1.00	0.38
Commerical - 1 per 2,500 SF, min. 2	1,757 SF	2		
Short Term (per Zoning Section 4.3.3.C.1)				
Residential Household Living - 1 per 10 units):	242	24	0.10	0.04
Commerical - 1 per 5,000 SF, min. 2	1,757 SF	2		
Scooter:		N/A		- 34
Provided:				
Long Term:		264	1.09	0.42
Short Term:		28	0.12	0.04
Scooter:		32	0.13	0.05

PROJECT SHALL INCLUDE AT ALL TIMES INCLUDE A MINIMUM OF 244 LONG TERM BICYCLE SPACES AND 26 SHORT TERM BICYCLE SPACES. ALL BICYCLE SPACES MAY BE USED FOR SCOOTERS AND THE TERM "BICYCLE SPACES" SHALL ALSO PERMIT PRIVATE SCOOTERS IN LIEU OF BICYCLES IN SUCH SPACES.

BUILDING AREA AND UNIT SUMMARY

AREA SUMMARY							
RESIDENTIAL	LOBBY, AMENITY	COMMERCIAL, OTHER	COMMON	SERVICE	PARKING	EXTERIOR AMENITY AREA	TOTAL GSF
216,689 SF	15,640 SF	1,757 SF	29,426 SF	8,647 SF	54,892 SF	12,639 SF	327,051 SF

PLANNING, ZONING STATISTICS:	BUILDING FOOTPRINT	34,043
	LOT AREA	44,736
	LOT COVERAGE	76.3
	FLOOR AREA RATIO (FAR)	6.0

	UNIT SUMMARY									
UNIT TYPE	Studio	1-Bed	2-Bed	3-Bed	4-Bed	PROPOSED UNIT COUNT	MAX. # UNITS	PROPOSED BEDROOM COUNT		
TYPE	0	98	16	16	112	242	287	634		
% of TOTAL	0.0%	40.5%	6.6%	6.6%	46.3%	100.0%				

ALL FIGURES ARE APPROXIMATE

Upper story (min)	20%	20%	20%	20%
Blank wall width (max)	25'	25'	15'	25'
5. ENTRANCES				
	Primary St: Ivy Rd	Side St: Copeley Rd	Primary St: Ivy Rd	Side St: Copeley Rd
Street-facing entry spacing (max)	40'	75'	40'	60'
Entry Feature	Yes	Yes	Yes	Yes
6. WALLS & FENCES				
Front yard height (max): Ivy Rd	4'		4'	
Side street yard height (max): Copeley Rd	None		6'	

BUILDING REGULATION COMPARISON

Building Regulations

1. HEIGHT

Stories (max)

Height (max)

Active Depth (min)

3. GROUND STORY

Story height (min)

Nonresidential

Nonresidential 4. TRANSPARENCY

Ground story (min)

Nonresidential

Residential

Residential

Residential

Primary street: Ivy Rd

Primary street: Ivy Rd

Side street: Copeley Rd

Finished floor elevation (min/max)

Side street: Copeley Rd

2. MASSING

Width (max)

Overall height (max stories/feet)

Proposed PUD

10

124'

275'

15'

10'

14'

2' / 5'

-2' / 5'

Copeley

30%

30%

Primary S

Ivy Rd

35%

50%

Draft Zoning Code:

CX-8

275'

15'

10'

14'

2' / 5'

Primary St:

Ivy Rd

35%

50%

-2' / 5'

Side St:

Copeley

Rd

30%

30%

114'

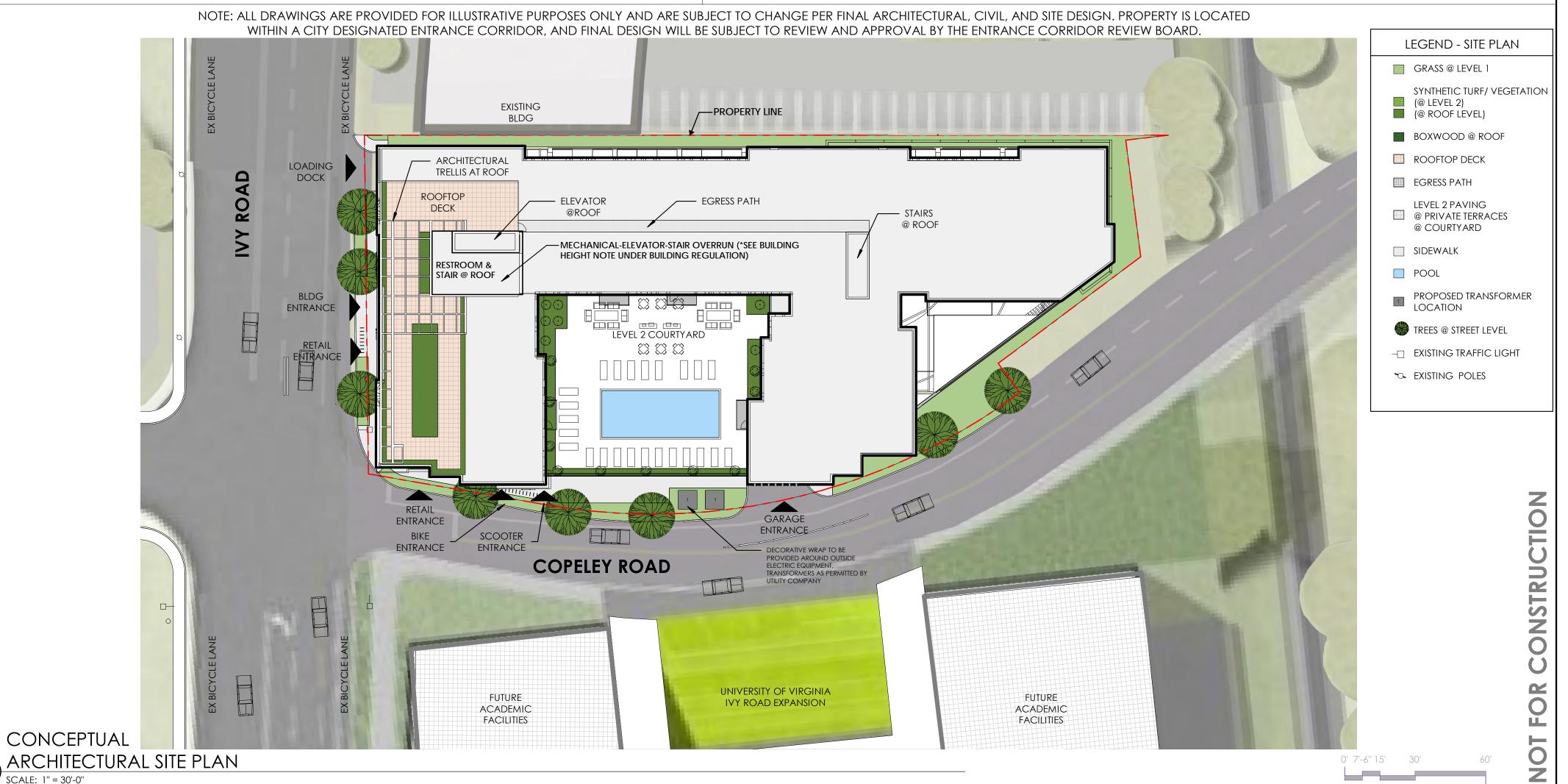
Bonus

11

156'

requirements set forth in Section 34-1101(2), and contain no enclosed space that is designed for or that can be used as any type of habitable residential space. The proposed restroom facilities do not constitute habitable residential space under the 2018 Virginia Building Code in effect in 2023.

Zoning L	ot Regulations		
	Proposed PUD	Draft Zoning Code: CX-8	
1. SIZE FOR SUBDIVISION			
Area (min)	None	None	
Width (min)			
Front access	40'	40'	
Side/rear access	15'	15'	
2. DENSITY			
Dwellings per zoning lot (max)	Unlimited	Unlimited	
3. COVERAGE			
Building coverage (max)	None	None	
Outdoor amenity space	10%	10%	
4. BUILDING SETBACKS		2	
Primary street lot line (min/max): lvy Rd	0' / 20'	0' / 10'	
Side street lot line (min/max): Copeley Rd	0' / 20'	0' / 10'	
Side lot line (min)	0'	0'	
Rear lot line (min)	0,	0'	
5. BUILD TO			
Build-to-width (min)			
Primary street: Ivy Rd	75%	75%	
Side street: Copeley Rd	45%	45%	
6. TRANSITION			
Transition type	None	None	
7. PARKING LOCATION		4 7 7 7 7	
Front yard	Not allowed	Not allowed	
Side street yard	Not allowed	Not allowed	
Side yard	Allowed	Allowed	
Rear yard	Allowed	Allowed	



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WDG PROJECT NO: WA22014

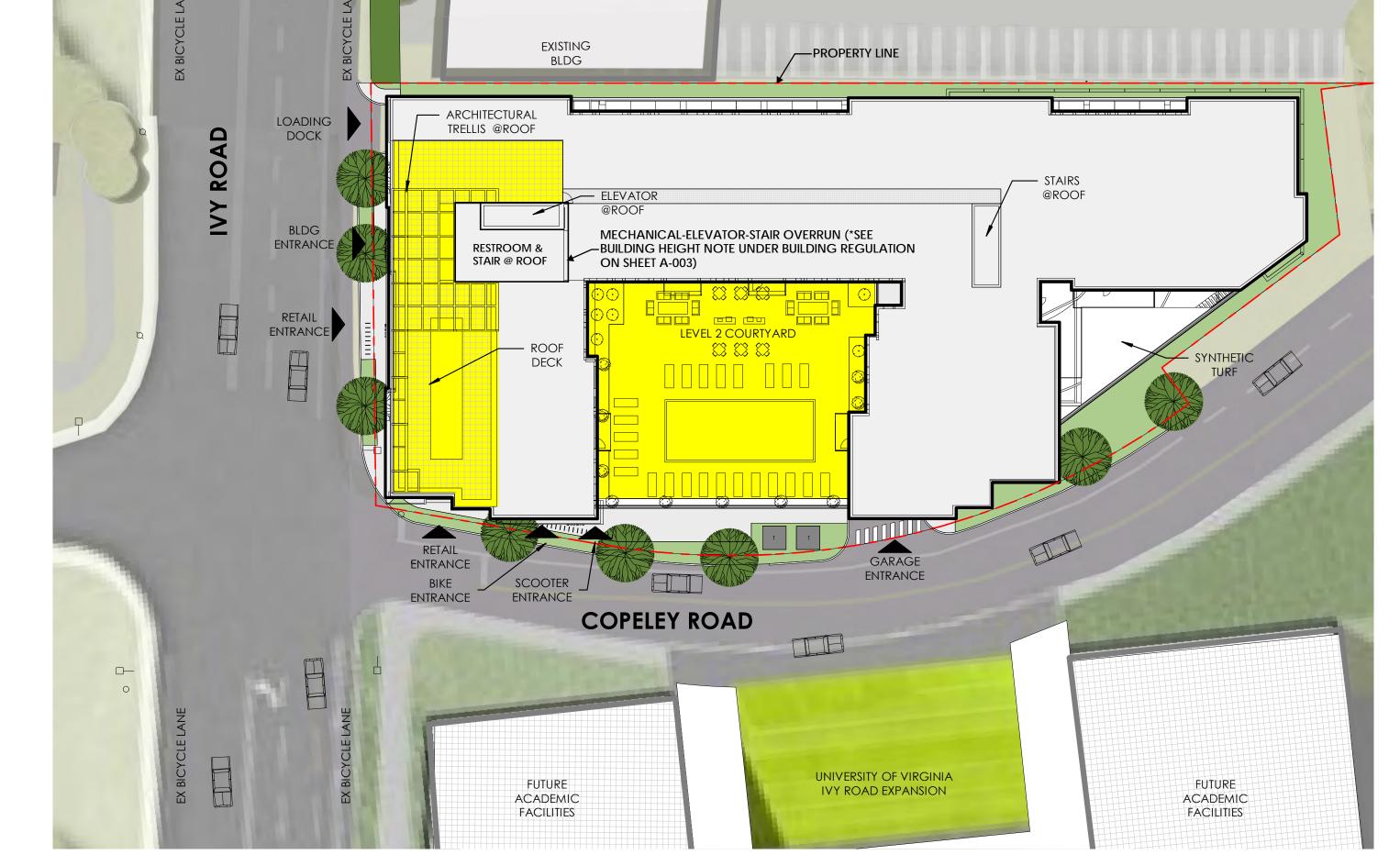
NSTRUCTION

NOT

0' 7'-6" 15" 30"

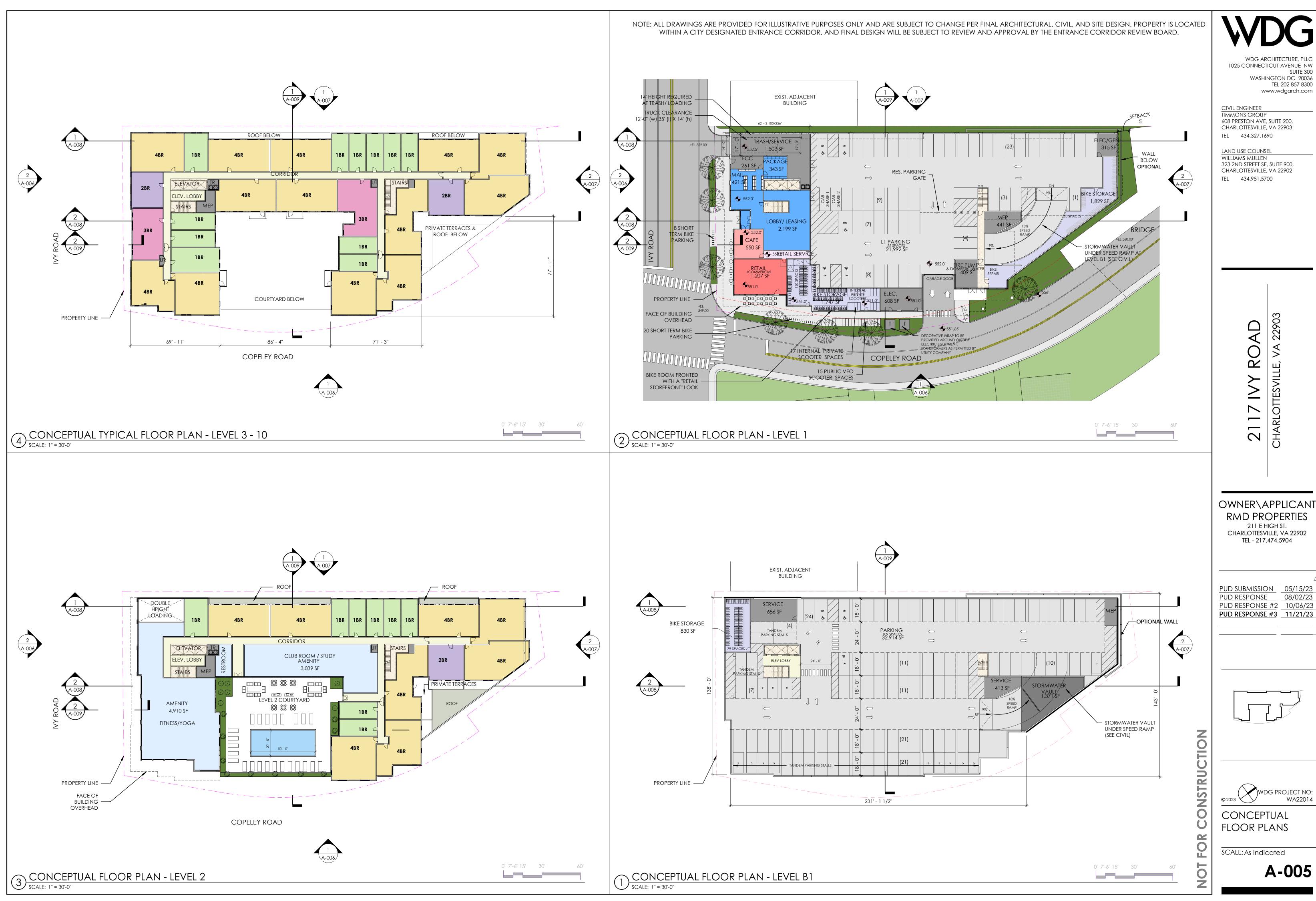
CONCEPTUAL **OUTDOOR AMENITY** SPACE DIAGRAM

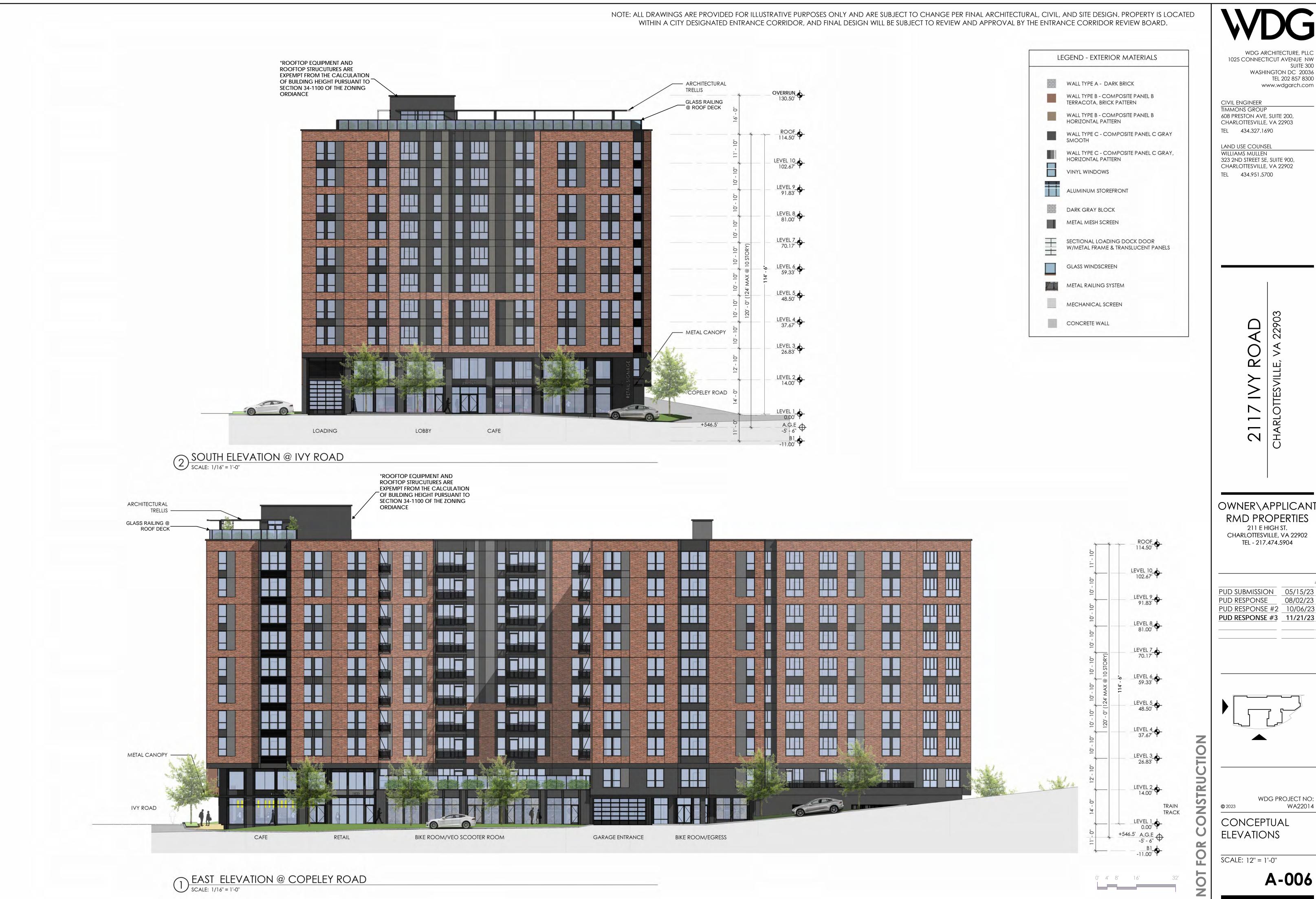
SCALE: As indicated A-004



Open Space/Outdoor Amenity: Propo	sed PUD	
Required Open Space Square Footage		
15% of gross area of parcel	6,710	Ĩ
20% of gross floor of commercial uses	3,608	
Total SF Required:	10,318	-
Conceptual Open Space Square Footage		
2nd Floor Courtyard	6,215	ij
Roof Deck	4,350	ij
Total SF Provided:	10,565	ij

Open Space/Outdoor Amenity: Draft Zonia	ng Code CX-8
Required Open Space Square Footage	
10% of gross area of parcel	4,474
Total SF Required:	4,474
Conceptual Open Space Square Footage	
2nd Floor Courtyard (Common Outdoor Amenity)	6,215
Roof Deck (Common Outdoor Amenity)	4,350
Total SF Provided:	10,565





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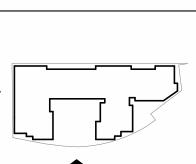
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PUD SUBMISSION 05/15/23

08/02/23 PUD RESPONSE #2 10/06/23

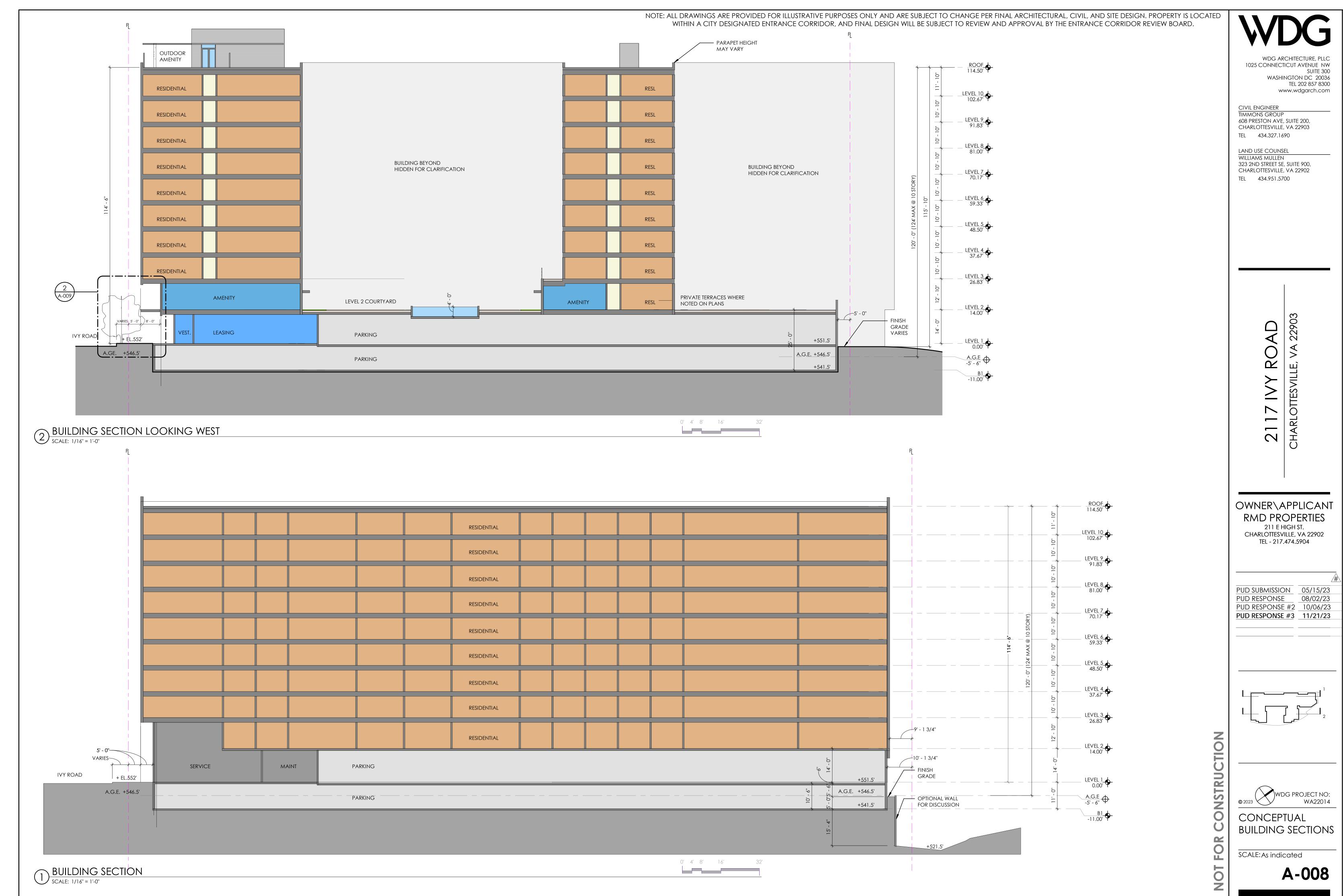


WDG PROJECT NO: WA22014

CONCEPTUAL **ELEVATIONS**

A-006





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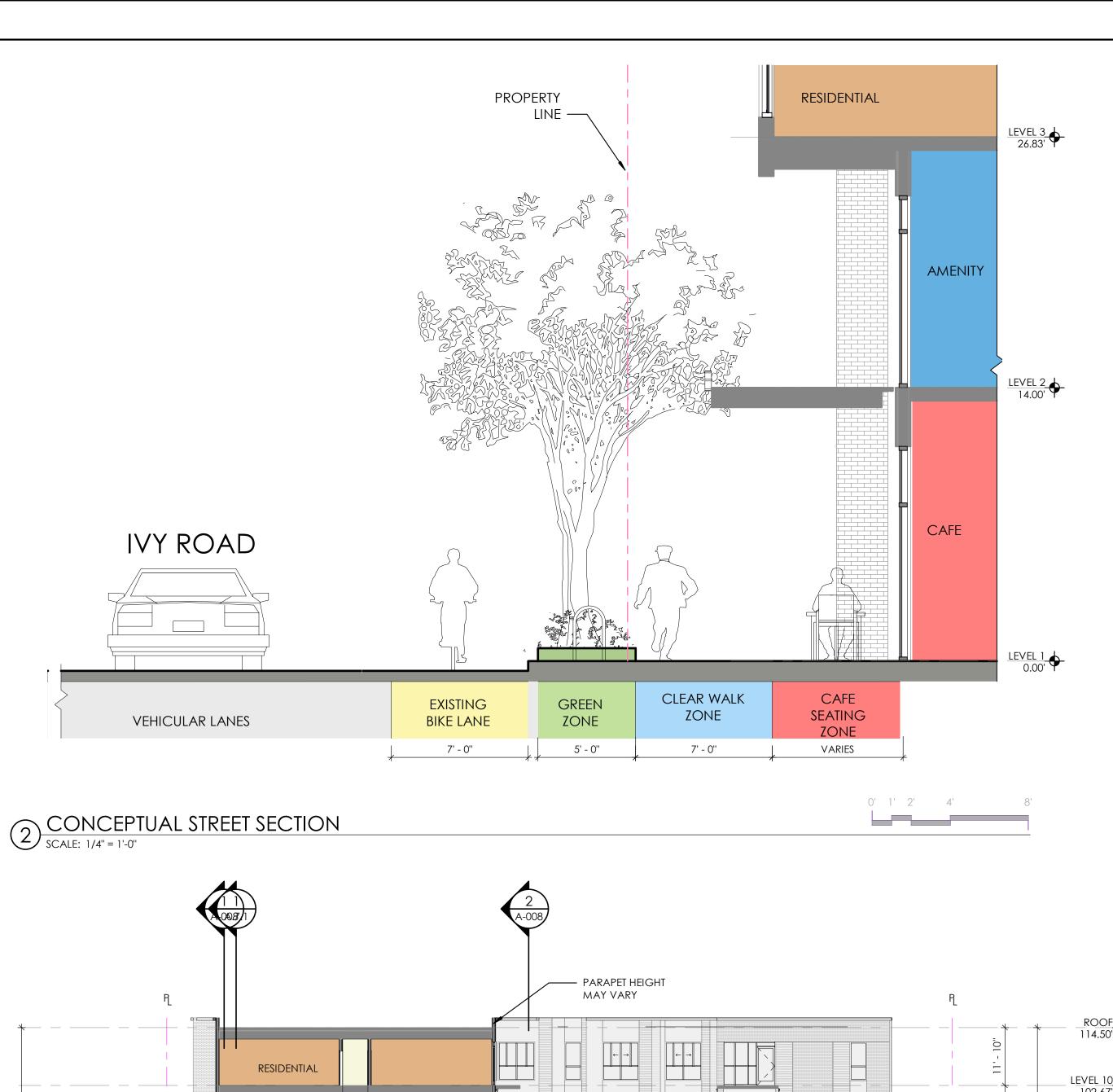
NSTRUCTION WDG PROJECT NO:

NOT

CONCEPTUAL **BUILDING SECTIONS**

SCALE: As indicated

A-009





0' 4' 8' 16' 32'

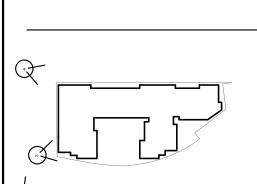
TEL 434.951.5700

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 11/21/23



WDG PROJECT NO: WA22014

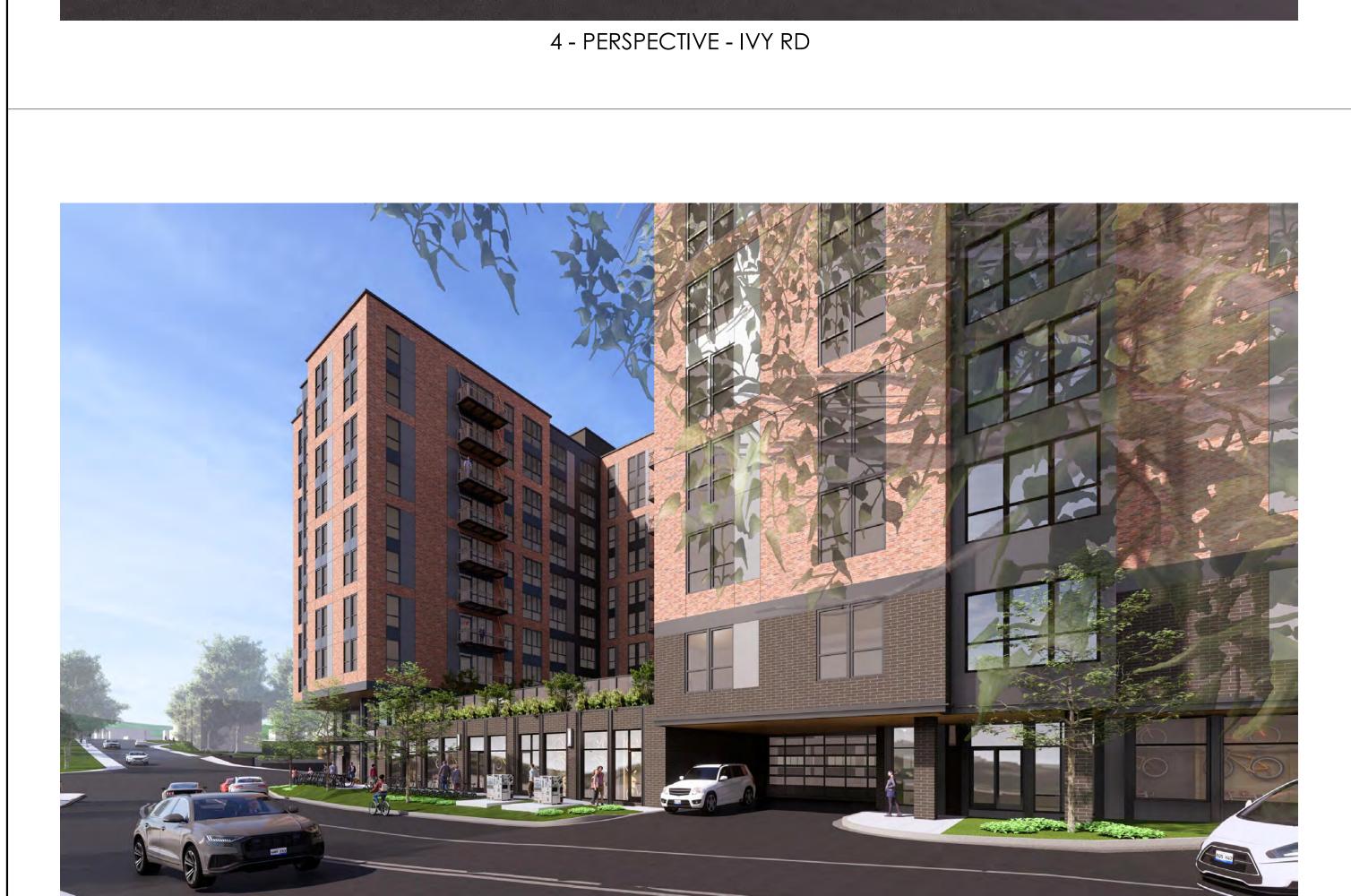
CONCEPTUAL PERSPECTIVE IMAGES

SCALE: 12" = 1'-0"

A-010



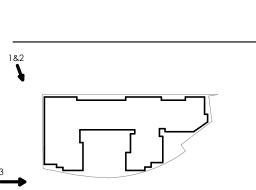
2 - DETAIL PERSPECTIVE - IVY & COPELEY



3 - PERSPECTIVE - COPELEY



1 - PERSPECTIVE - COPELEY & IVY





SCALE: 12" = 1'-0"

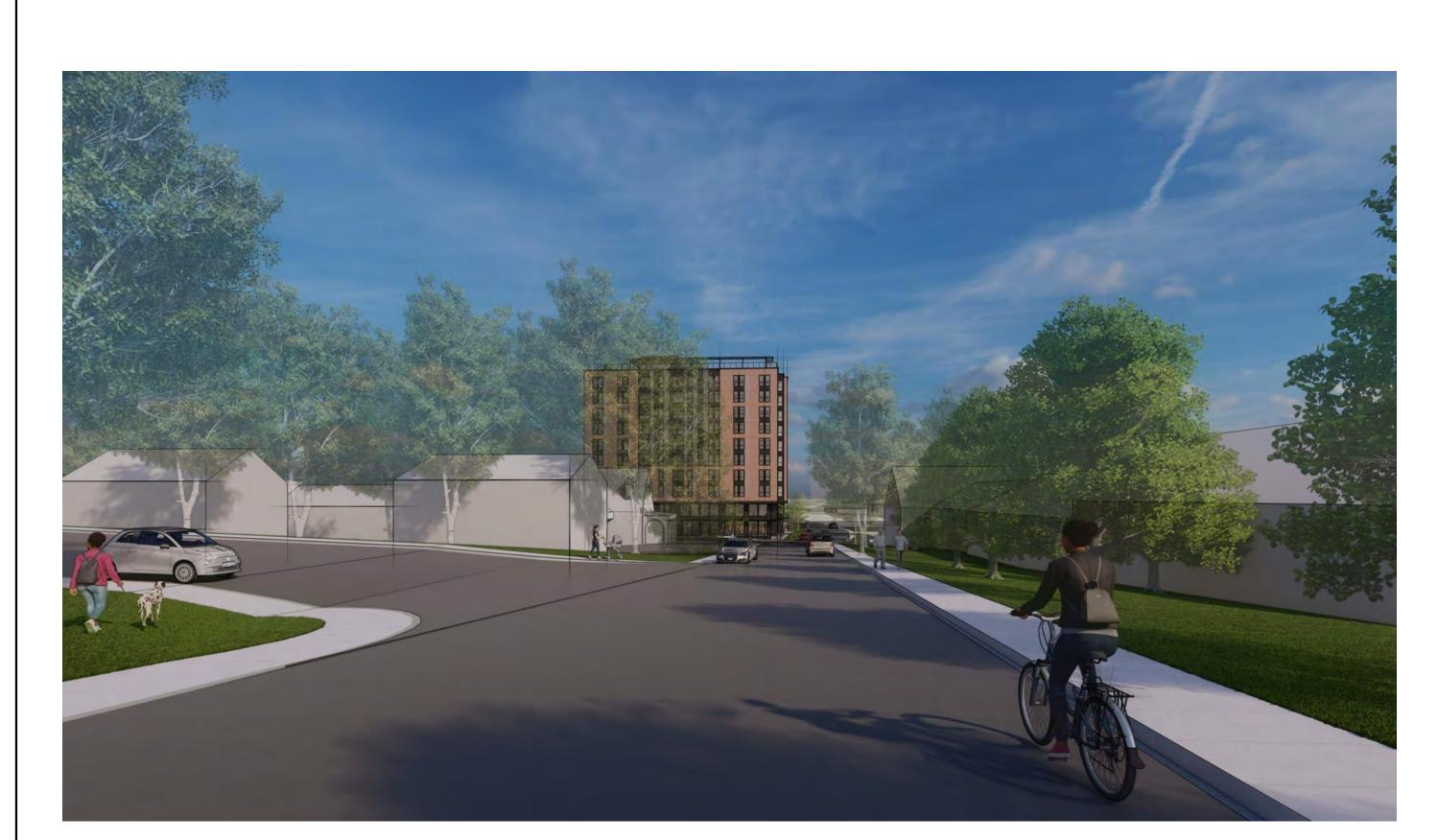
A-010A



2 - DETAIL PERSPECTIVE - IVY ROAD



1 - PERSPECTIVE - IVY ROAD



3 - PERSPECTIVE - FROM ALDERMAN DRIVE

EMMETT RD ---

- BUILDING PROFILE ON IVY ROAD -

Concept Site Section

SCALE: 1" = 60'-0"



1025 CONNECTICUT AVENUE NW SUITE 300 WASHINGTON DC 20036 www.wdgarch.com

CIVIL ENGINEER
TIMMONS GROUP
608 PRESTON AVE, SUITE 200,
CHARLOTTESVILLE, VA 22903

TEL 434.327.1690

WILLIAMS MULLEN
323 2ND STREET SE, SUITE 900,
CHARLOTTESVILLE, VA 22902 TEL 434.951.5700

2

OWNER\APPLICANT RMD PROPERTIES

211 E HIGH ST.

CHARLOTTESVILLE, VA 22902
TEL - 217.474.5904

 PUD SUBMISSION
 05/15/23

 PUD RESPONSE
 08/02/23

 PUD RESPONSE #2
 10/06/23

 PUD RESPONSE #3
 11/21/23

WDG PROJECT NO: WA22014 CONCEPTUAL SITE SECTION

SCALE: 1" = 60'-0"

A-011



ROOF 4

102.67'

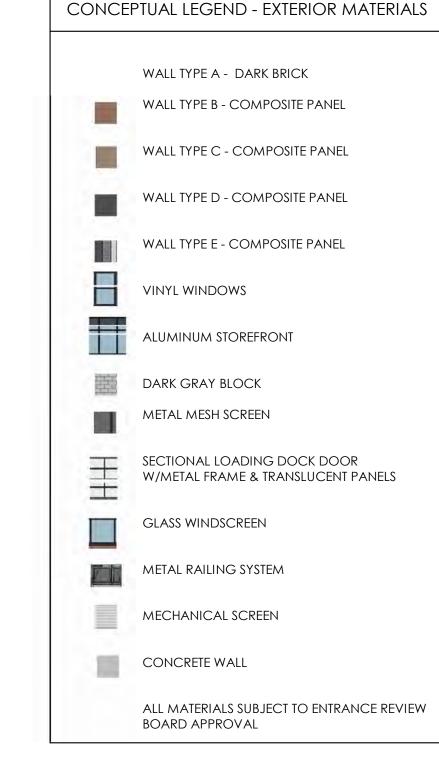
1.83' **O**

LEVEL 5 48.50'

26.83'

14.00'

+546.5' A.G.E -5' - 6"



2 CONCEPTUAL NORTH INTERIOR COURTYARD ELEVATION
SCALE 1/16" = 1'-0"

CONCEPTUAL SOUTH INTERIOR COURTYARD ELEVATION

SCALE 1/16" = 1'-0"

RMD PROPERTIES

211 E HIGH ST.

CHARLOTTESVILLE, VA 22902

TEL - 217.474.5904

OWNER\APPLICANT

WDG ARCHITECTURE, PLLC 1025 CONNECTICUT AVENUE NW

WASHINGTON DC 20036

CIVIL ENGINEER

TIMMONS GROUP

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LAND USE COUNSEL WILLIAMS MULLEN

TEL 434.951.5700

608 PRESTON AVE, SUITE 200,

CHARLOTTESVILLE, VA 22903

323 2ND STREET SE, SUITE 900,

CHARLOTTESVILLE, VA 22902

RO O

 \sim

SUITE 300

TEL 202 857 8300 www.wdgarch.com

 PUD SUBMISSION
 05/15/23

 PUD RESPONSE
 08/02/23

 PUD RESPONSE #2
 10/06/23

 PUD RESPONSE #3
 11/21/23

Professional seal

WDG PROJECT NO: WA22014

INTERIOR
COURTYARD VIEWS

SCALE: As indicated

NOT

NEW A-01

WDG ARCHITECTURE, PLLC
1025 CONNECTICUT AVENUE NW
SUITE 300
WASHINGTON DC 20036
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CIVIL ENGINEER

TIMMONS GROUP 608 PRESTON AVE, SUITE 200, CHARLOTTESVILLE, VA 22903 TEL 434.327.1690

LAND USE COUNSEL WILLIAMS MULLEN
323 2ND STREET SE, SUITE 900,
CHARLOTTESVILLE, VA 22902 TEL 434.951.5700

21

OWNER\APPLICANT

RMD PROPERTIES

211 E HIGH ST.

CHARLOTTESVILLE, VA 22902

TEL - 217.474.5904

 PUD SUBMISSION
 05/15/23

 PUD RESPONSE
 08/02/23

 PUD RESPONSE #2
 10/06/23

 PUD RESPONSE #3
 11/21/23

WDG PROJECT NO: WA22014 SOLAR STUDY

SCALE: 12" = 1'-0"

A-013



SCALE: 12" = 1'-0"

A-014



SOLAR STUDY: MAR 21 - 10 AM



SOLAR STUDY: MAR 21 - 12 PM



SOLAR STUDY: MAR 21 - 2 PM



SOLAR STUDY: MAR 21 - 4 PM



SOLAR STUDY: JUN 21 - 10 AM



SOLAR STUDY: JUN 21 - 12 PM



SOLAR STUDY: JUN 21 - 2 PM



SOLAR STUDY: JUN 21 - 4 PM



SOLAR STUDY: SEP 23 - 10 AM



SOLAR STUDY: SEP 23 - 12 PM



SOLAR STUDY: SEP 23 - 2 PM



SOLAR STUDY: SEP 23 - 4 PM



SOLAR STUDY: DEC 22 - 10 AM



SOLAR STUDY: DEC 22 - 12 PM



SOLAR STUDY: DEC 22 - 2 PM



SOLAR STUDY: DEC 22 - 4 PM

WDG ARCHITECTURE, PLLC 1025 CONNECTICUT AVENUE NW WASHINGTON DC 20036 www.wdgarch.com CIVIL ENGINEER

TIMMONS GROUP 608 PRESTON AVE, SUITE 200, CHARLOTTESVILLE, VA 22903

TEL 434.327.1690

SUITE 300

TEL 202 857 8300

TIMMONS GROUP YOUR VISION ACHIEVED THROUGH OUR

 Δ

OWNER RMD PROPERTIES 211 E. HIGH STREET CHARLOTTESVILLE, VA 22902

TEL. 217.474.5904

PUD SUBMISSION 05/15/23 PUD RESUBMISSION 08/11/23 PUD RESUBMISSION 10/06/23

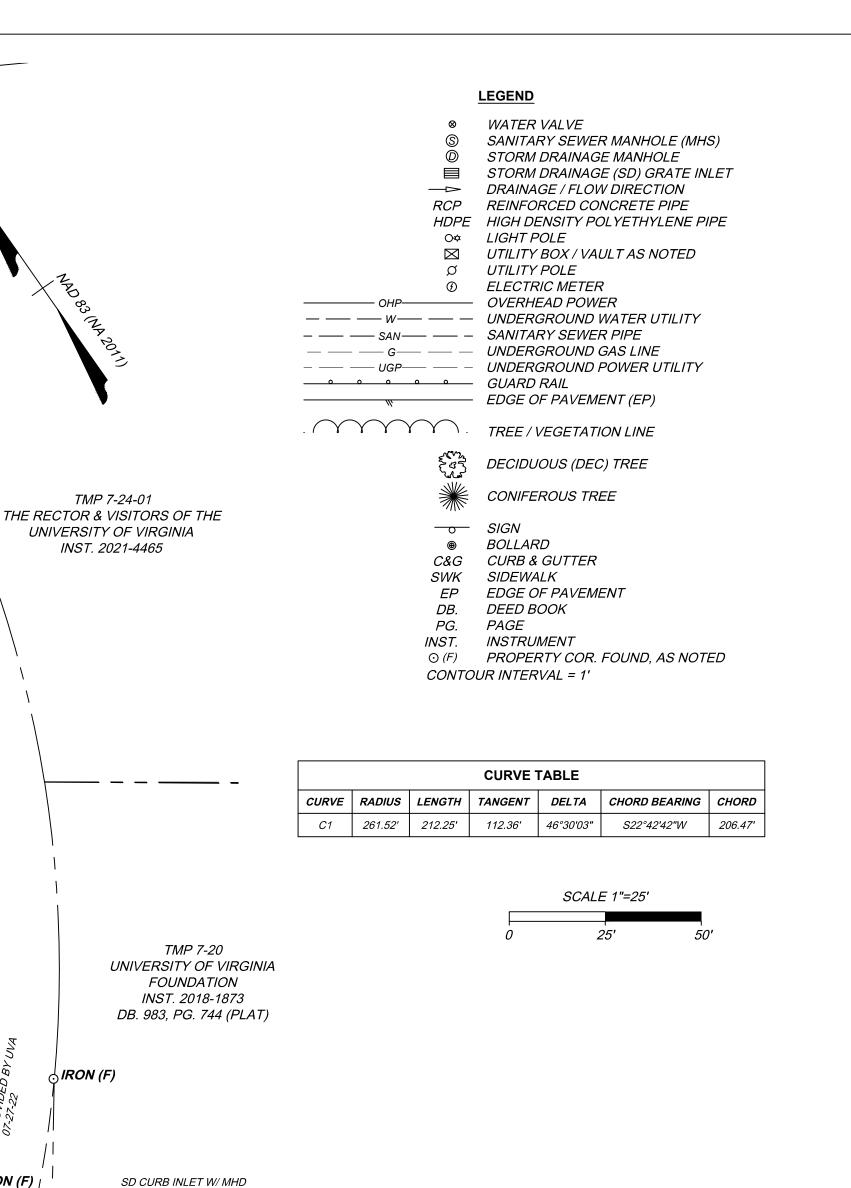
PUD RESUBMISSION 11/21/23

PROFESSIONAL SEAL

WDG PROJECT NO:

ALTA NSPS LAND TITLE SURVEY

SCALE: 1'' = 25'



Property Information within 500 feet of Proposed PUD Property Address City, State Zip Code | Parcel ID Number **Property Owner Address** Zoning BOLLINGWOOD PROPERTIES, LLC 115 BOLLINGWOOD RD 580 MASSIE RE CHARLOTTESVILLE VA 22903 70024000 R-1U BOYADJIAN. SIMON K 2120 IVY RD 120 IVY RD CHARLOTTESVILLE VA 22903 70003000 B-1 & O RAILWAY COMPANY MLTP UNKNOWN -12 500 WATER JACKSONVILLE FL 32202 350555000 CAPONE, GERARD, JR 2107 MORRIS RD 107 MORRIS RD CHARLOTTESVILLE VA 22903 70003700 R-1U DAVIS, ROGER HB JR & JEANNE S, TRUSTS 6207 RIVERSIDE FARM LN CAPE CHARLES VA 13 IVY RD URB 23310 70001400 ELIAS. WILLIAM J & JULIANA B 123 BOLLINGWOOD RD 123 BOLLINGWOOD RD CHARLOTTESVILLE VA 22903 70022000 R-1UH EQUITY SHELTER, LLC 2114 IVY RD P O BOX 6156 CHARLOTTESVILLE VA 22906 70003210 B-1 FIELDS, MARY ELIZABETH 111 ALDERMAN RD 11 ALDERMAN RD CHARLOTTESVILLE VA 22903 70003180 R-IU GORMAN, NEAL A & CARLA DURAN-GORMAN, TRUSTEES 2108 MORRIS RD 108 MORRIS RD CHARLOTTESVILLE VA 22903 70003110 R-IU HILINSKI, MICHAEL & DAPHNA BASSOK 2109 MORRIS RD 109 MORRIS RD HARLOTTESVILLE VA 22903 70003600 R-IU IVY SQUARE OF CHARLOTTESVILLE, LLC 2121 IVY RD BOAR'S HEAD POINTE CHARLOTTESVILLE VA 22903 70001000 URB IVY SQUARE OF CHARLOTTESVILLE, LLC 2119 IVY RD BOAR'S HEAD POINTE CHARLOTTESVILLE VA 22903 70001100 URB IVY SQUARE OF CHARLOTTESVILLE, LLC 2123-25 IVY RD BOAR'S HEAD POINTE CHARLOTTESVILLE VA URB 22903 70001300 JEFFERSON, NATIONAL BANK 2100 IVY RD P O BOX 2609 CARLSBAD CA 92018 70003201 B-1 LEE, SEUNG HUN & LOUCA, DESPO A 2103 MORRIS RD 2103 MORRIS RD CHARLOTTESVILLE VA 22903 70003900 R-1U LESSARD, STEPHEN C 2101 MORRIS RD 228 E 13TH ST APT 26 NEW YORK NY 10003 70003100 R-1U MONTAGUE, PERCY, IV & ANNE C R-1U 117 BOLLINGWOOD RD 117 BOLLINGWOOD RD CHARLOTTESVILLE VA 22903 70023000 SMITH, MARK J & MARINA M HEISS 2105 MORRIS RD 105 MORRIS RD HARLOTTESVILLE VA 22903 70003800 R-1U ST ANNE'S-BELFIELD. INC 2132 IVY RD 132 IVY RD CHARLOTTESVILLE VA 22903 7000110⁻ R-1U ST MARKS EVAN LUTHERAN CHURCH 100 ALDERMAN RD 00 ALDERMAN RD CHARLOTTESVILLE VA 22903 70003101 R-1U CHARLOTTESVILLE VA STEBBINS, DENISE C 113 ALDERMAN RD 13 ALDERMAN RD R-1U 22903 70003170 THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA PO BOX 400884 CHARLOTTESVILLE VA URB 22904 70002200 THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | 2015 IVY RD PO BOX 400884 CHARLOTTESVILLE VA 22904 70002300 URB THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA 2015 IVY RD URB PO BOX 400884 CHARLOTTESVILLE VA 22904 70002401 THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA 101 EMMET ST N MLTP PO BOX 400884 CHARLOTTESVILLE VA 22904 80001000 THE STORY HOUSE LLC 2110 IVY RD 2110 IVY RD CHARLOTTESVILLE VA 22903 70003190 B-1 UNIVERSITY OF VIRGINIA FOUNDATION 2033 IVY RD PO BOX 400218 CHARLOTTESVILLE VA 22904 70002000 URB UNIVERSITY OF VIRGINIA FOUNDATION 2025-29 IVY RD PO BOX 400218 CHARLOTTESVILLE VA 22904 70002100 URB UNIVERSITY OF VIRGINIA FOUNDATION PO BOX 400218 2019 IVY RD CHARLOTTESVILLE VA 22904 70025000 R-1U UNIVERSITY OF VIRGINIA FOUNDATION CHARLOTTESVILLE VA 0 IVY RD PO BOX 400218 R-1U 22904 70026000 UNIVERSITY OF VIRGINIA FOUNDATION 2001 IVY RD PO BOX 400218 CHARLOTTESVILLE VA 22904 70027000 R-1U UNIVERSITY OF VIRGINIA FOUNDATION 107 BOLLINGWOOD RD PO BOX 400218 CHARLOTTESVILLE VA 22904 70028000 R-1U

PO BOX 400218

IRON (F)

IRON (F)

INV. IN=544.14' 15" RCP

SD CURB INLET W/ MHD

INV. IN=538.49' 24" RCP

DB. 983, PG. 741

IRON (F)

CHARLOTTESVILLE VA

70029000

22904

R-1U

IRON (F)

- INV. OUT=538.41' 24" BOX CULVERT

THE RECTOR & VISITORS OF

THE UNIVERSITY OF VIRGINIA

(ROAD RIGHT OF WAY)

—OHP ———

- INV. OUT=540.84' 24" RCP

CSX RAILROAD

30' WIDE STORM & SANITARY —

CITY OF CHARLOTTESVILLE

TMP 7-11

IVY SQUARE OF

CHARLOTTESVILLE, LLC

INST. 2009-1428

DB. 195, PG. 440 (PLAT)

ADJACENT

IRON (F

WOOD DECK -

SEWERS EASEMENT FOR

(AS DESCRIBED)

DB. 321, PG. 28

TOP=523.37'

S29°27'33"W

SD INLET W/ MHD

18) BOTTOM STR: 518.67

OUTFALL

SD INLET W/ GRATE

INV. OUT=541.97' 15" RCP —

2.0' x 3.0'

TOP=545.97'

INV. =539.56' 15" RCP -

ACCESSORY

BRICK

ASPHALT

PARKING & DRIVE

CONC. APRON

UNIVERSITY OF VIRGINIA FOUNDATION

N54°33'46"W 144.00'

BUILDINGS

STORM, DB. 302, PG. 413

NO INV.: POSSIBLY OBSTRUCTED

APPROX. FLOW FROM PROPOSED

CONC. DITCH

13 PARKING SPACES

TMP 7-12

RMD PROPERTIES, LLC

DB. 857, PG. 702

DB. 802, PG. 404 (PLAT)

1.027 AC. (SURVEYED)

ZONED: URB

16" SYCAMORE

LEVEL MASONRY BUILDING

W/ ROOF OVERHANG

'TRUIST BANK'

2117 IVY RD.

VAR. WIDTH CONC. SWK

3 PARKING SPACES + 1 HC

US RTE. 250 BUSINESS ~ IVY RD.

(VAR. WIDTH PUBLIC R/W)

POSSIBLY OBSCURED

WATER LINE SOURCED -

FROM MAPPING

N89°27'40"E -

4" HDPE

8" DOGWOOD ₹

SD INLET W/ GRATE

INV. OUT=545.65' 15" RCP -

2.0' x 3.0'

1.0' x 4.5'

BANK SIGN -

TRAFFIC SIGNAL

CHARLOTTESVILLE V

101 BOLLINGWOOD RD

EASEMENT FOR CITY OF (17)

TOP=549.09'

25" RED OAK

 SUBJECT ACCESS TO
 Л
 SUBJECT ACCES TO
 Л
 SUBJECT ACCES TO
 Л
 SUBJECT ACCES TO
 Л
 SUBJECT ACCES

(15) COPELEY ROAD

4 ANGLED

PARKING

SPACES ,

S45°57'43"W -

77.41'

IRON (S)

DB. 302, PG. 404

PROVIDED BY UVA

SURVEY NOTES:

1. PROPERTY & ZONING INFORMATION: SUBJECT PROPERTY: RMD PROPERTIES, LLC

DEED BOOK 857, PAGE 702 REFERENCE: CITY PID: 070001200 (TMP 7-12) PROPERTY ADDRESS: 2117 IVY ROAD 1.027 ACRES (SURVEYED) AREA: ZONED:

2. DIMENSIONAL ZONING REGULATIONS, PER CITY OF CHARLOTTESVILLE CODE, CHAPTER 34, ARTICLE VI:

<u>SETBACKS</u>:
PRIMARY STREET FRONTAGE - 5 FEET MINIMUM, 30 FEET MAX. LINKING STREET FRONTAGE - 5 FEET MINIMUM, 20 FEET MAX. SIDE - NONE

MAX. STRUCTURE HEIGHT - 60 FEET

3. EXISTING PARKING: STRIPED / DESIGNATED PARKING SPACES OBSERVED AND DEPICTED HEREON.

4. THE BOUNDARY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP COMPLETED ON JULY 15, 2022.

5. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA

STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH

NETWORK GPS (LEICA SmartNET) OBSERVATIONS. 6. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C0267D, PANEL 267 OF 575, EFFECTIVE DATE FEBRUARY 4,

2005, THE PROPERTY SHOWN HEREON LIES IN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE

7. THIS PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT, NOTED AS FOLLOWS - COMMITMENT NO. SHTC22-1195, FROM CHICAGO TITLE INSURANCE COMPANY, DATED JULY 06, 2022.

8. THE LANDS SURVEYED ARE THE SAME AS DESCRIBED IN THE REFERENCED TITLE COMMITMENT.

9. THERE IS NO OBSERVABLE EVIDENCE OF BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SUBJECT PROPERTY; NO EVIDENCE OF RECENT EARTH MOVING WORK OBSERVED (INCIDENTAL TO SUBSTANTIAL GRADING CHANGES). DEMOLITION OF HOUSE APPARENT

10. NO EVIDENCE OF CEMETERY OR BURIAL GROUND OBSERVED II THE PROCESS OF CONDUCTING THE SURVEY FIELD-WORK.

11. ON THE DATE OF THE SURVEY, THERE WAS NO VISUAL EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL. (COLLECTIONS OF RESIDENTIAL RUBBISH OBSERVED IN SOME AREAS.)

AND SURVEY OF SITE:

12. REGARDING TABLE A, ITEM 11, LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE DERIVED FROM THE FOLLOWING

- OBSERVED EVIDENCE COLLECTED DURING FIELD PROCEDURES

- MISS UTILITY (811) TICKET INITIATION, TICKET NO. A219300827. NO FORMAL UNDERGROUND UTILITY INVESTIGATION (SUE) BEYOND INFORMATION PROVIDED BY MISS UTILITY HAS BEEN CONDUCTED BY

- WATER LINE AND VALVES ON COPELEY ROAD DEPICTED VIA GIS DATA PROVIDED BY THE UNIVERSITY OF VIRGINIA.

SCHEDULE B. PART II EXCEPTIONS FROM COVERAGE

THIS PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT, COMMITMENT NO. SHTC22-1195 FROM CHICAGO TITLE INSURANCE COMPANY, ISSUED JULY 06,

SCHEDULE B, PART II EXCEPTIONS ARE AS FOLLOWS:

- 1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET. NOT A SURVEY MATTER.
- 2. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW, AND NOT SHOWN BY THE PUBLIC RECORDS. NOT A SURVEY MATTER.
- 3. EASEMENTS OR CLAIMS OF EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS. NOT A SURVEY MATTER.
- RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES SOLELY AS TENANTS AND SOLELY WITH RESPECT TO SPACE OCCUPIED BY EACH SUCH TENANT. TOGETHER WITH NON-EXCLUSIVE RIGHTS IN COMMON WITH OTHER TENANTS IN AREAS USED BY ALL TENANTS. NOT A SURVEY MATTER.
- 5. TAXES, STORM WATER, UTILITY, RECYCLING AND SPECIAL ASSESSMENTS WHICH BECOME DUE AND PAYABLE SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, LIENS, AND SUPPLEMENTAL TAXES WHICH MAY COME DUE AND ALL TAXES FOR SUBSEQUENT FISCAL YEARS, BUT NOT YET DUE AND PAYABLE. NOT A SURVEY MATTER.
- 6. SUCH STATE OF FACTS AS WOULD BE DISCLOSED BY AN ACCURATE SURVEY END INSPECTION OF THE PREMISES. INCIDENTAL TO SURVEY DEPICTED HEREON.
- ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ONTO THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND.

NOTE: UPON RECEIPT OF SATISFACTORY PLAT OF SURVEY AND INSPECTION REPORT, THIS EXCEPTION WILL BE ELIMINATED OR AMENDED IN ACCORDANCE WITH THE FACTS DISCLOSED THEREBY. INCIDENTAL TO SURVEY DEPICTED HEREON.

- 15. TERMS, PROVISIONS, AND CONDITIONS OF THAT CERTAIN DEED DATED APRIL 24, 1968, RECORDED OCTOBER 17, 1968, IN DEED BOOK 302, PAGE 404.
- a. SLOPE EASEMENT AFFECTS, NOT PLOTTABLE. b. ACCESS TO COPELEY ROAD - AFFECTS AS SHOWN.
- 6. EASEMENT: GRANTED UNTO THE CITY OF CHARLOTTESVILLE DATED JULY 23, 1970, RECORDED IN DEED BOOK 321, PAGE 28. GRANTS EASEMENT FOR A SEWER LINE OR OTHER UTILITIES AND APPURTENANCES THERETO, AT 30' WIDE DESIGNATED AND UNDESIGNATED LOCATIONS, WITH INGRESS, EGRESS AND CLEARAGE. PLAT RECORDED THEREWITH SHOWS EASEMENT. AFFECTS AS SHOWN.
- 17. EASEMENT: GRANTED UNTO THE CITY OF CHARLOTTESVILLE, VIRGINIA, DATED NOVEMBER 21, 1984, RECORDED MARCH 15, 1985, IN DEED BOOK 461, PAGE 74. GRANTS EASEMENT TO INSTALL AND MAINTAIN A TRAFFIC SIGNAL DEVICE AND APPURTENANCES THERETO, AT DESIGNATED AND UNDESIGNATED LOCATIONS, WITH
- 18. PLAT MADE BY WILLIAM S. ROUDABUSH, JR. &ASSOCIATES DATED APRIL 1966, REVISED MAY 6, 1966 AND DECEMBER 27, 1967, ENTITLED, "PLAT SHOWING PROPERTY AND EASEMENTS TO BE ACQUIRED BY THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA - FROM R. MARSHALL DAVIS & ROSA LEE DAVIS, AND MARGARET UPSHUR BROWN MASSIE, CHARLOTTESVILLE, VIRGINIA*, RECORDED WITH DEED IN DEAD BOOK
- 302, PAGE 404, SHOWS THE FOLLOWING: a. EXISTING STREAM. NOT LOCATABLE OR PLOTTABLE. b. PROPOSED STORM DRAIN. AFFECTS AS SHOWN.

INGRESS, EGRESS AND CLEARAGE. AFFECTS AS SHOWN.

RECORD DESCRIPTION:

JOSEPH C. MEDLEY

Lic. No.3385

*0*8-*0*5-22

ALL THOSE CERTAIN LOTS OR PARCELS OF LAND SITUATE, LYING AND BEING IN THE CITY OF CHARLOTTESVILLE, VIRGINIA, DESIGNATED AS "PARCEL X-1, PARCEL X-2 AND PARCEL F-4" ON THAT CERTAIN PLAT MADE BY WILLIAM S. ROUDABUSH, JR. & ASSOCIATES, ENTITLED, "PLAT SHOWING PROPERTY AND EASEMENTS TO BE ACQUIRED BY THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA- FROM R. MARSHALL DAVIS & ROSA LEE DAVIS. AND MARGARET UPSHUR BROWN MASSIE, CHARLOTTESVILLE, VIRGINIA", DATED APRIL 1966, REVISED MAYE, 1966, AND DECEMBER 27, 1967, AND RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF CHARLOTTESVILLE, VIRGINIA, WITH DEED IN DEED BOOK 302, PAGE 413.

BEING THE SAME REAL ESTATE CONVEYED TO RMD PROPERTIES, LLC, A VIRGINIA LIMITED LIABILITY COMPANY BY DEED OF GIFT FROM R. MARSHALL DAVIS AND FRANCIS L. BUCK, TRUSTEES OF THE ROSA LEE DAVIS LIVING TRUST DATED JULY 8, 1996, DATED JUNE 20, 2002, RECORDED JUNE 21, 2002, IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF CHARLOTTESVILLE, VIRGINIA, IN DEED BOOK 857, PAGE

ALTA/NSPS SURVEYOR'S CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY, RMD PROPERTIES, LLC, & UP CAMPUS HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND / OR

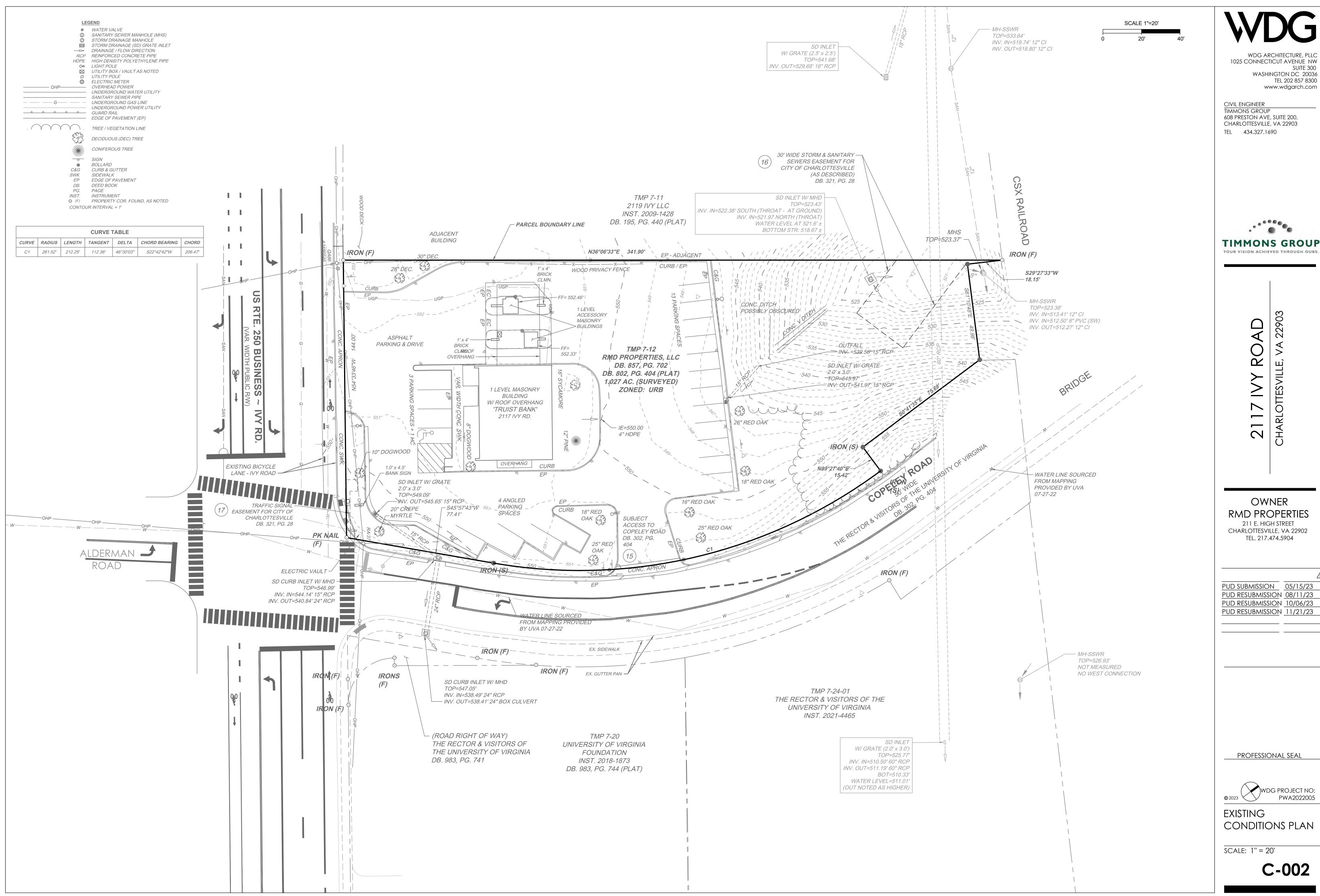
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a-b), 8, 11(a), 13, 14, 16, 17, 18, & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 4, 2021. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE COMMONWEALTH OF VIRGINIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS

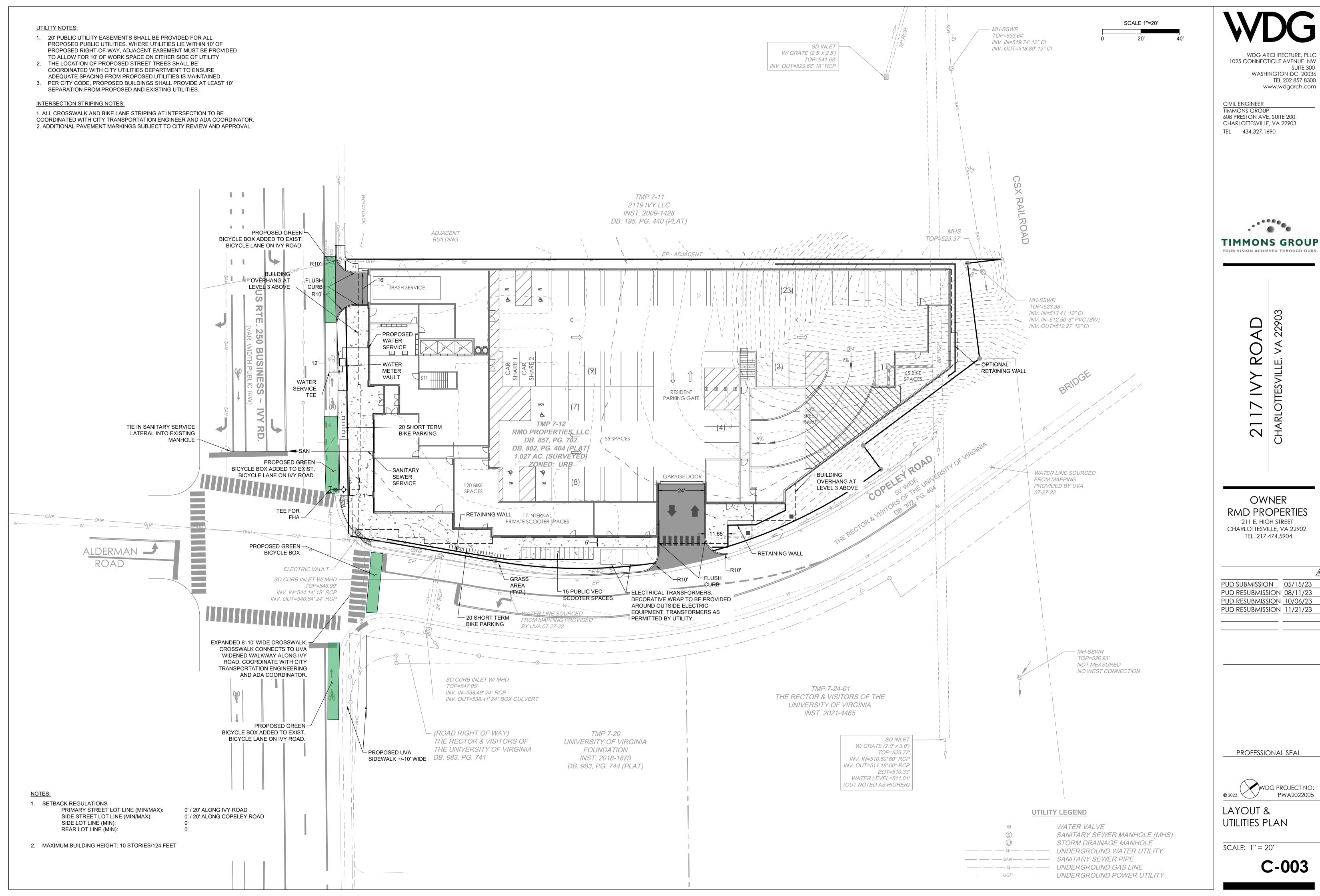
'ALTA/NSPS LAND TITLE SURVEY' OF 1.027 ACRES

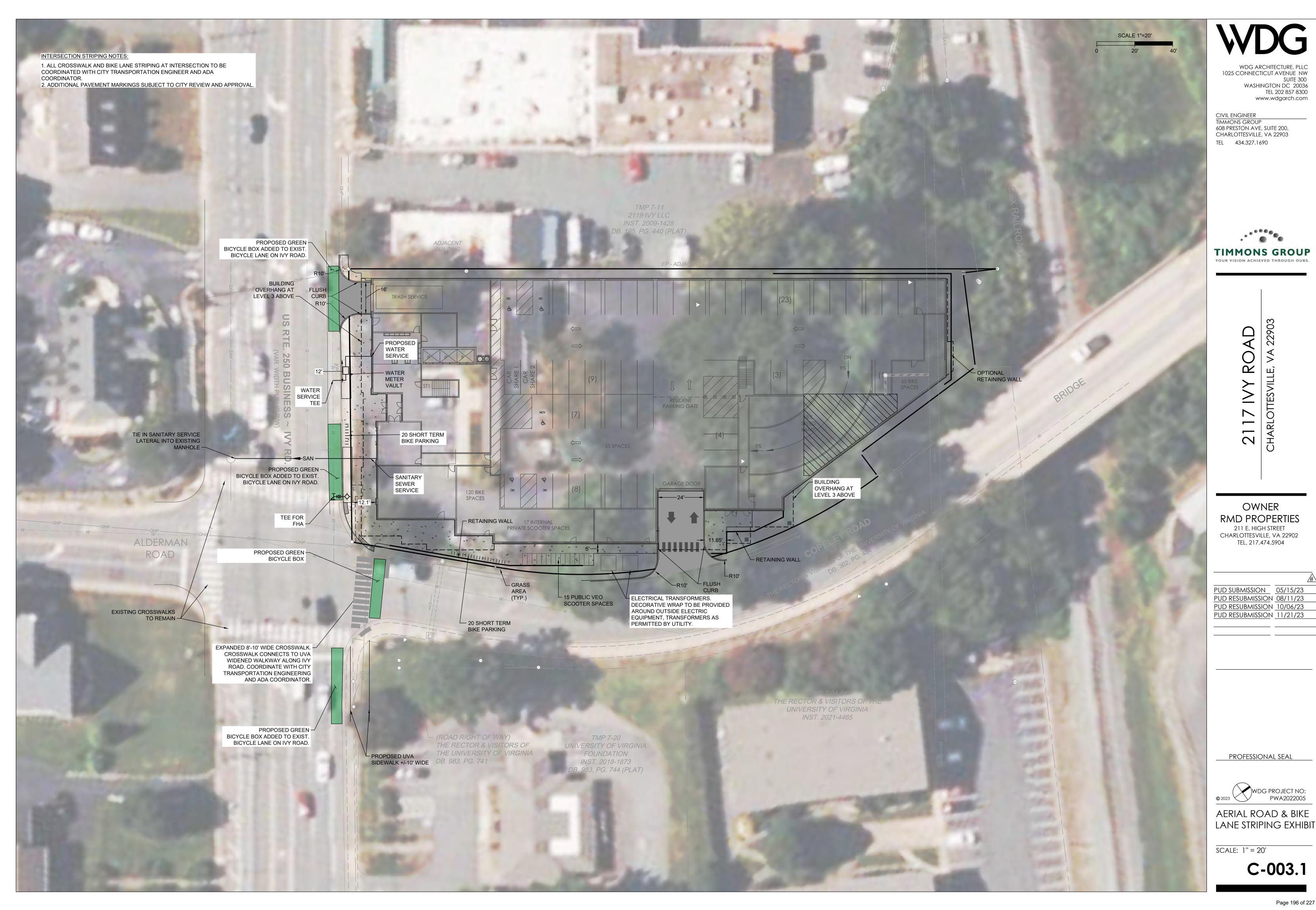
FRONTING IVY ROAD CITY PID 070001200 CITY OF CHARLOTTESVILLE, VIRGINIA

LAST REVISED:

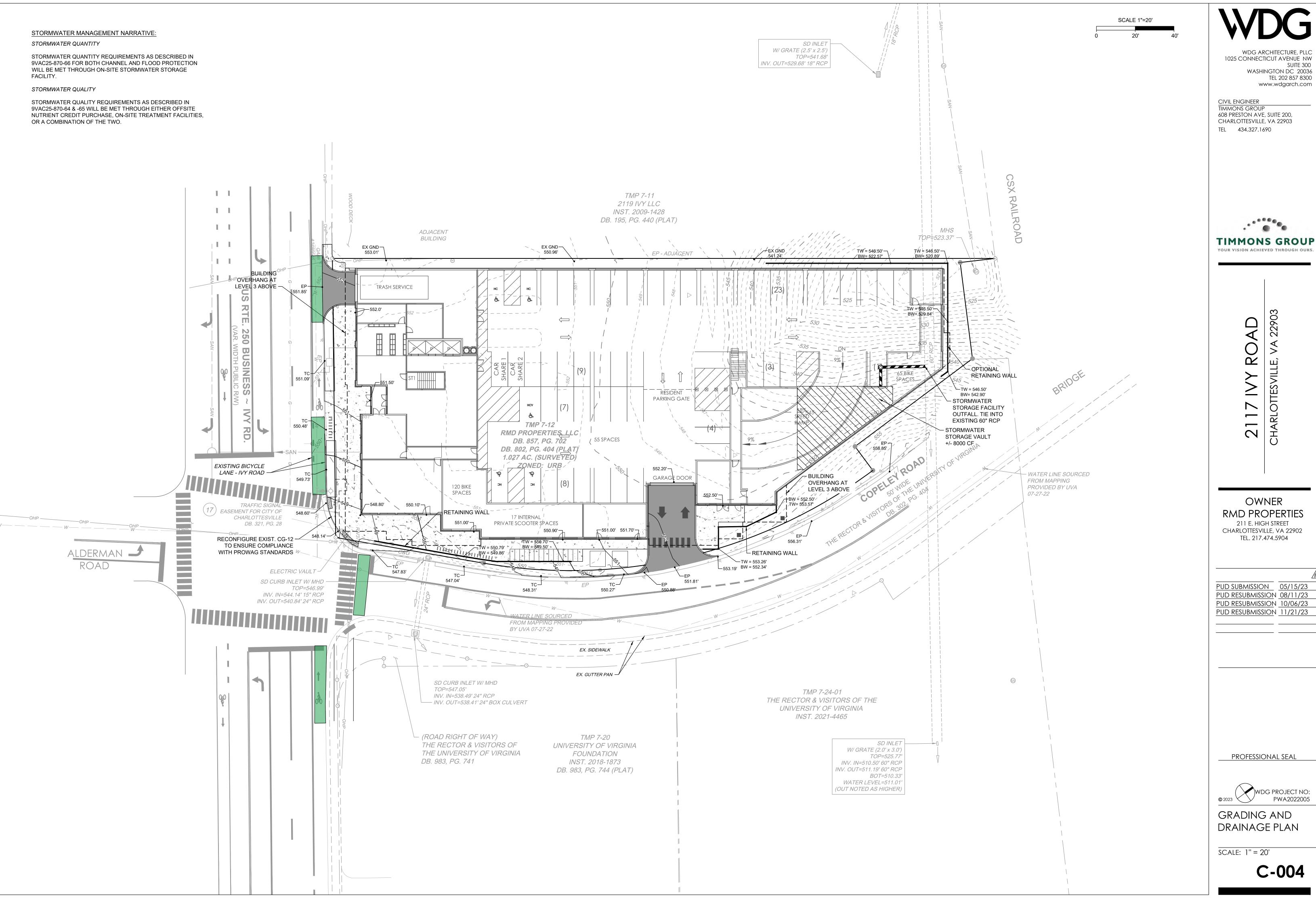
Venable Area	Charlottesville, VA
DATE: <i>August 5, 2022</i>	SCALE: 1"= 25'
SHEET 1 OF 1	J.N.: <i>54985</i>
DRAWN BY: MKT - JCM	CHECK BY: JCM







SUITE 300



	TY BOTANICAL NAME	PLA COMMON NAME	ANTING SCHEDULE MINIMUM INSTALLED SIZ	ZE ROOT	CANOPY AREA	TOTAL	SCALE 1"=20'	
	4 QUERCUS PHELLOS	WILLOW OAK	2" CAL.	B&B	370	1480		
	4 LIRIODNEDRON TULIPIFERA	TULIP POPLAR	2' CAL.	B&B CANOF	177 PY GRAND TOTAL	708 2188		WDG ARCHITECTURE, PLLC 1025 CONNECTICUT AVENUE NW SUITE 300
NOTES:	NED UNIT DEVELOPMENT (PUD) SHALL BE I	IN SURSTANTIAL CONFORMITY	7.10				$^{\prime\prime}$	WASHINGTON DC 20036 TEL 202 857 8300 www.wdgarch.com
THIS PUD WITH THE	DEVELOPMENT (POD) SHALL BE I DEVELOPMENT PLAN, SUBJECT TO CHANG LAND USE PLANNING, CIVIL ENGINEERING, L PROCESS, WHICH WILL RESULT IN SOME	ES AND REVISIONS COINCIDEN , ARCHITECTURE, AND REGULA	NT					CIVIL ENGINEER TIMMONS GROUP
 SIDEWALK PLANTING 	KS 5' MINIMUM WIDTH AS SHOWN. IS STRIPS BETWEEN ROAD AND SIDEWALK 4' ID FROM THE CHARLOTTESVILLE MASTER TF	' MINIMUM. ALL TREES TO BE						608 PRESTON AVE, SUITE 200, CHARLOTTESVILLE, VA 22903 TEL 434.327.1690
								166 404.027.1070
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Original Proffers	X
Amendment	

PROFFER STATEMENT

Project Name: 2117 Ivy Road

Date: December 19, 2023

Address: 2117 Ivy Road Parcel Number: 070001200

Owner of Record: **RMD Properties**, LLC (the "Owner" and "Applicant")

Proposal:

• Rezone 2117 Ivy Road, parcel 070001200 (1.02 acres) (the "Property"), from Urban Corridor (URB) district to Planned Unit Development (PUD) district with proffers (the "Project")

Total land area: Approximately 1.02 acres

The Applicant hereby voluntarily proffers that if the City of Charlottesville City Council acts to rezone the property as requested, the Applicant shall develop the Property in general accord with the following proffers pursuant to Sections 15.2-2303 and 15.2-2303.4 of the Code of Virginia, 1950, as amended, and pursuant to Section 34-41.d.8 of the City of Charlottesville Zoning Ordinance. The Applicant specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signatures below. This Proffer Statement shall run with the Property and each reference to the "Owner" within this Proffer Statement shall include within its meaning, and shall be binding upon, Owner's successor(s) in interest and/or the developer(s) of the Property or any portion of the Property.

1. Affordable Housing

The Project is proposed to be student housing rented by the bedroom. The Applicant shall make a cash contribution to the City's affordable housing fund in the amount equal to Three Million, Two Hundred Fifty Thousand Dollars (\$3,250,000), provided that the approved final site plan and approved building permit will permit a minimum of Six Hundred Thirty-Four (634) bedrooms. Otherwise, the amount will be equal to four and one-half (4 ½) times that which would be required under City Code Section 34-12(d)(2) in effect as of the date of this Proffer Statement, based on the approved final site plan. Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

2. PUD Application Plan

- A. **Application Plan.** The Property is depicted on the plans entitled "2117 Ivy Road" dated May 15, 2023, last revised November 21, 2023, prepared by WDG Architecture and Timmons Group (the "Application Plan"). The Property will be developed in general accord with the essential elements of the Application Plan, as required by City Zoning Ordinance Section 34-518.
- B. **Exhibit A.** Notwithstanding the provisions of paragraph 2A above, the Property frontage along Ivy Road shall be developed to reflect the following major elements as shown and noted on attached plans entitled

"PUD Exhibit A – Conceptual Building Section" dated December 12, 2023, prepared by Dwell Design Studio ("Exhibit A"), attached, subject to Entrance Corridor Review Board Approval:

- 1) The green zone shall be a minimum of 8 feet in width.
- 2) The sidewalk shall be a minimum of 10 feet in width.
- 3) Floors 1-2 shall be recessed at least 2 feet from Ivy Road beyond that shown on the Application Plan.
- 4) Floors 3-8 shall be recessed 4 feet from Ivy Road beyond that shown on the Application Plan.
- 5) Floors 9-10 shall be recessed 2 feet beyond floors 3-8.
- 6) The rooftop architectural trellis shall be recessed 10 feet from the top edge of floor 10.
- 7) Street tree species will be coordinated with City staff, the Entrance Corridor Review Board, and the University.

With regard to any differences between the approved Application Plan and this proffer statement with Exhibit A, this proffer statement and Exhibit A shall govern.

C. The Applicant shall submit a revised Application Plan incorporating the provisions of paragraph 2B within 30 days after City Council's action on the Application.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

Signature Page for Proffer Statement for 2117 Ivy Road

OWNER and APPLICANT:

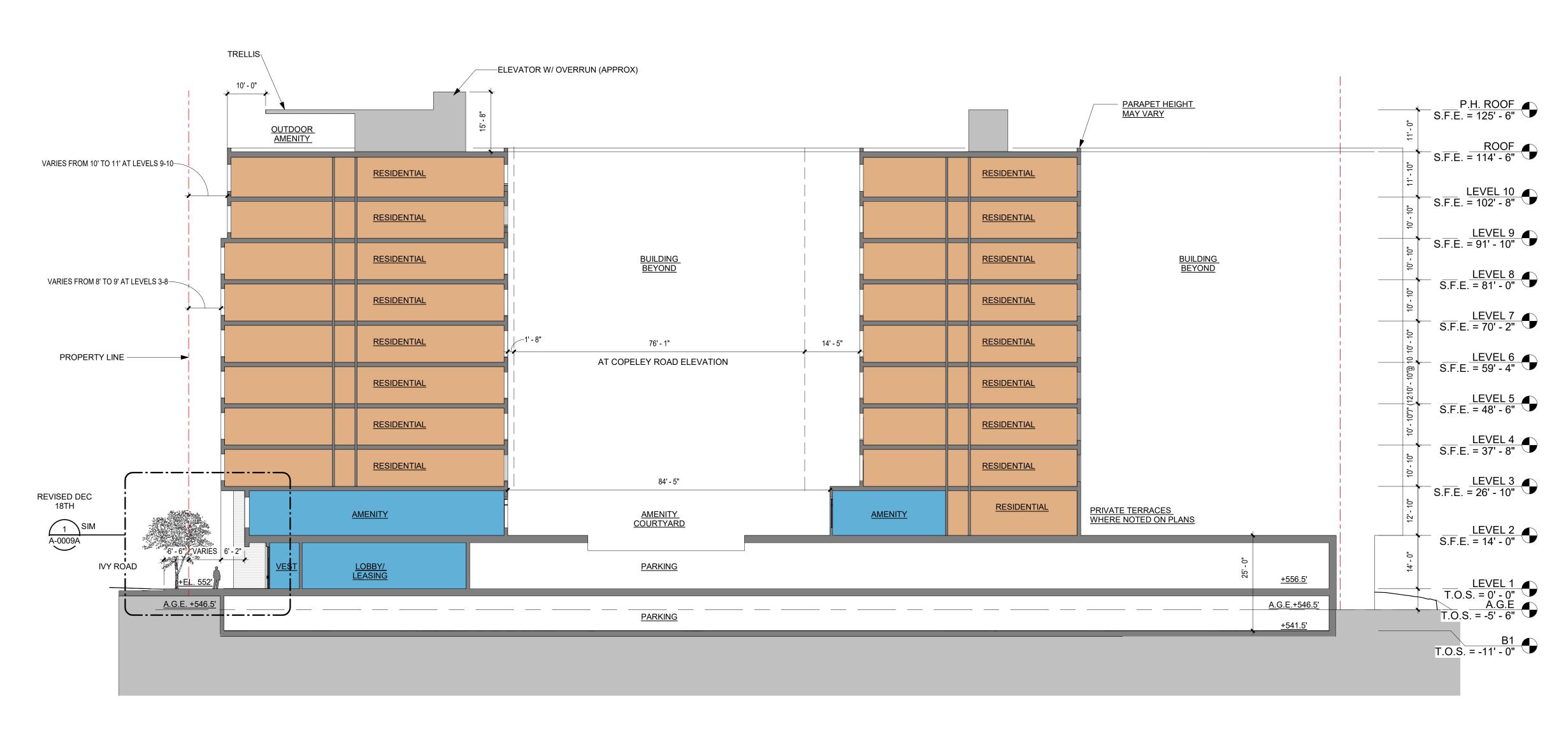
RMD Properties, LLC

a Virginia limited liability company

By: Stylun G. Bus	
Printed Name:	
Authorized Signatory Title:	

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EXHIBIT A



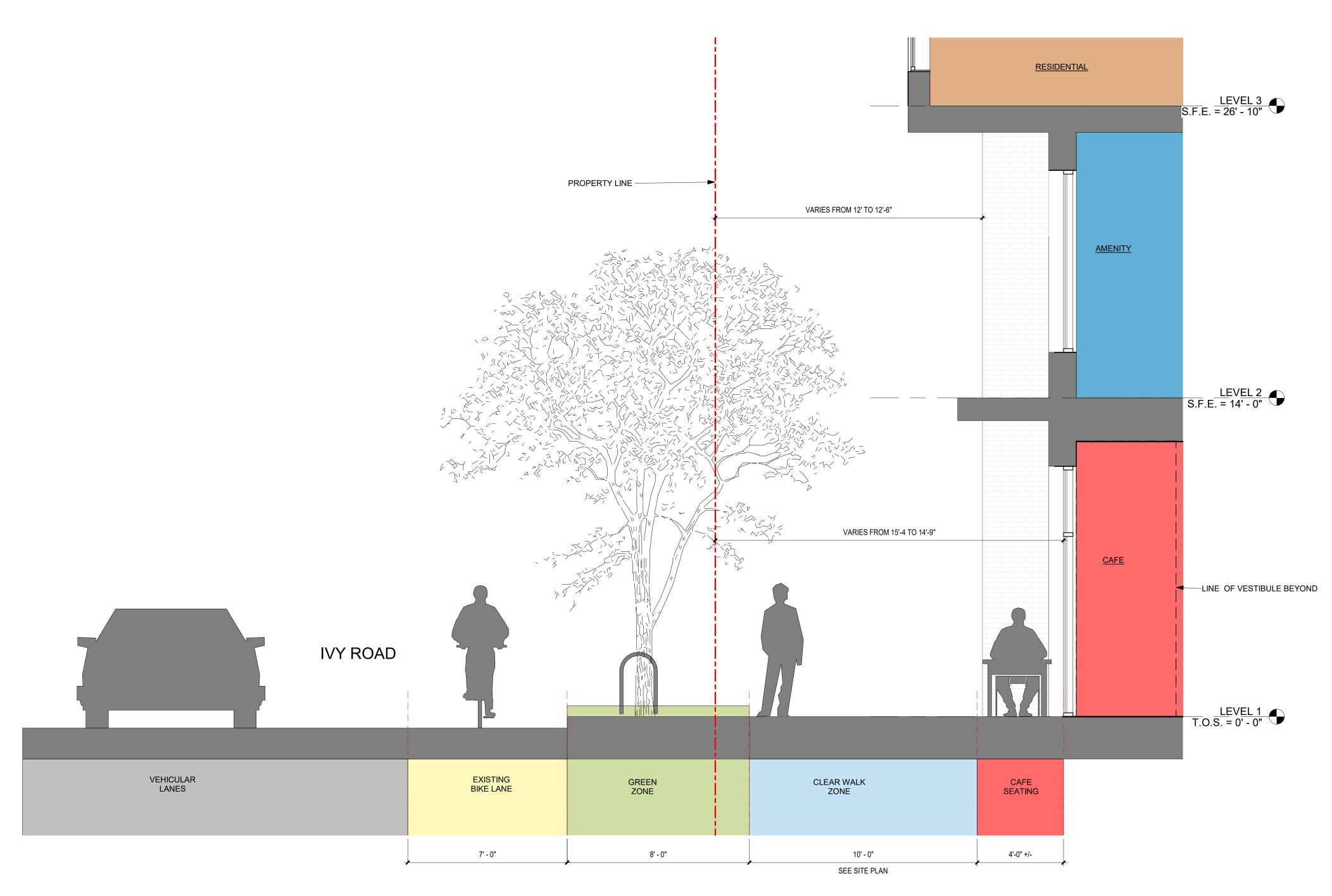
1 REVISED BUILDING SECTION LOOKING WEST
1/16" = 1'-0"







EXHIBIT A



1 REVISED CONCEPTUAL STREET SECTION
3/8" = 1'-0"

STREET TREE SPECIES WILL BE COORDINATED WITH CITY STAFF, ENTRANCE CORRIDOR REVIEW BOARD, AND UVA WITH A GOAL OF HAVING A REASONABLY CONSISTENT STREETSCAPE ALONG IVY ROAD.







AN ORDINANCE APPROVING A REQUEST TO REZONE LAND FRONTING ON IVY ROAD AND COPELEY ROAD FROM URBAN CORRIDOR (URB) TO PLANNED UNIT DEVELOPMENT (PUD)

WHEREAS, RMD Properties, LLC is the owner ("Landowner") of certain land fronting on Ivy Road and Copeley Road, designated on the City Tax Map and Parcel (TMP) as 070001200 (the "Subject Property"), and the Landowner is seeking to change the zoning classifications of the Subject Property from URB to PUD subject to proffered development conditions, hereinafter referred to as the "Proposed Rezoning"; and

WHEREAS, in connection with the Proposed Rezoning, the Applicants submitted: (i) a written PUD Development Plan, dated May 15, 2023 (Revision #3 dated November 21, 2023), titled "2117 Ivy Road Planned Unit Development Plan Submittal", and (ii) proffered development conditions and "Exhibit A" diagram submitted in writing to the City; and

WHEREAS, a public hearing on the Proposed Rezoning was conducted by the Planning Commission on January 9, 2024 and by City Council on January 16, 2024, following notice to the public and to adjacent property owners as required by Virginia Code §15.2-2204 and City Code §34-44, and following their January 9, 2024 public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

WHEREAS, this City Council has considered the matters addressed within the Landowner's application (ZM23-00003), the NDS Staff Report, public comments, the Planning Commission's recommendation, and the Comprehensive Plan; and

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

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

Section 34-1. Zoning District Map. Rezoning the property designated on City Tax Map and Parcel (TMP) 070001200 ("Subject Property"), containing, in the aggregate approximately 1.027 acres (approximately 44,736 square feet), from Urban Corridor (URB) to Planned Unit Development (PUD), subject to the following proffered development conditions ("Proffers"), which were tendered by the Landowners in accordance with law and are hereby accepted by this City Council:

Approved Proffers

1. Affordable Housing

The Project is proposed to be student housing rented by the bedroom. The Applicant shall make a cash contribution to the City's affordable housing fund in the amount equal to Three Million, Two Hundred Fifty Thousand Dollars (\$3,250,000), provided that the approved final site plan and approved building permit will permit a minimum of Six Hundred Thirty-Four (634) bedrooms. Otherwise, the amount will be equal to four and one-half (4 ½) times that which would be required under City Code Section 34-12(d)(2) in effect as of the date of this Proffer Statement, based on the approved final site plan. Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

2. PUD Application Plan

- A. **Application Plan.** The Property is depicted on the plans entitled "2117 Ivy Road" dated May 15, 2023, last revised November 21, 2023, prepared by WDG Architecture and Timmons Group (the "Application Plan"). The Property will be developed in general accord with the essential elements of the Application Plan, as required by City Zoning Ordinance Section 34-518.
- B. **Exhibit A.** Notwithstanding the provisions of paragraph 2A above, the Property frontage along Ivy Road shall be developed to reflect the following major elements as shown and noted on attached plans entitled "PUD Exhibit A Conceptual Building Section" dated December 12, 2023, prepared by Dwell Design Studio ("Exhibit A"), attached, subject to Entrance Corridor Review Board Approval:
 - 1) The green zone shall be a minimum of 8 feet in width.
 - 2) The sidewalk shall be a minimum of 10 feet in width.
 - 3) Floors 1-2 shall be recessed at least 2 feet from Ivy Road beyond that shown on the Application Plan.
 - 4) Floors 3-8 shall be recessed 4 feet from Ivy Road beyond that shown on the Application Plan.
 - 5) Floors 9-10 shall be recessed 2 feet beyond floors 3-8.
 - 6) The rooftop architectural trellis shall be recessed 10 feet from the top edge of floor 10.
 - 7) Street tree species will be coordinated with City staff, the Entrance Corridor Review Board, and the University.

With regard to any differences between the approved Application Plan and this proffer statement with Exhibit A, this proffer statement and Exhibit A shall govern.

C. The Applicant shall submit a revised Application Plan incorporating the provisions of paragraph 2B within 30 days after City Council's action on the Application.

BE IT FURTHER ORDAINED THAT the City's Zoning Administrator shall update the Zoning District Map to reflect this rezoning of the Subject Property subject to the proffered development conditions.

WILLIAMS MULLEN

Direct Dial: 434.951.5709 vlong@williamsmullen.com

December 20, 2023

Via email: <u>oconnelld@charlottesville.gov</u>

Dannan O'Connell Senior Planner City of Charlottesville Neighborhood Development Services

Re: 2117 Ivy Road - Revised Proffer Statement

Dear Mr. O'Connell,

I would like to take the opportunity to provide clarification on the specific terms of the revised proffer statement that I submitted to you yesterday afternoon in connection with the 2117 Ivy Road project.

As we discussed at the December 18th Council meeting, the applicant is able to commit to the full \$3,250,000 affordable housing payment based on the essential project design shown at the meeting and referenced in the proffer statement and PUD plan set, such that there are no material impacts on the final building design and project during the site plan review process that would prohibit the practical ability to achieve as many units or beds in the project as contemplated in the concept plan in the PUD plan set. The concept plan contemplates 634 bedrooms. As such, we have modified the proffer statement to provide that the full payment would be made provided that the approved final site plan and building permit will allow a minimum of 634 bedrooms. In the event that fewer bedrooms are able to be achieved, the payment would be calculated at 4.5 times that which is required by the affordable housing ordinance work sheet, without any cap on the amount. Given that the applicant's financial interests are in providing as many bedrooms as possible, this will facilitate the payment of the full \$3,250,000 amount, while ensuring that the project contains sufficient bedrooms to support the full amount.

We appreciate Council's understanding of this issue, and are pleased to incorporate Council's requested revisions into the proffer statement. Thank you again for your guidance and assistance with this application throughout the review process, and please feel free to contact me with any questions about the revised proffer statement or any other aspect of the application.

Sincerely,

Valerie Long

Valerie Long

cc: RMD Properties, LLC

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Approval

Presenter: Chris Cullinan, Director of Finance

Staff Contacts: Chris Cullinan, Director of Finance

Krisy Hammill, Director of Budget

Title: Public Hearing and Resolution of Appropriation to Amend the FY24

Budget (1 of 2 readings)

Background

The audit for Fiscal Year (FY) 2023 has been completed. To close the City's financial records for the year, several year-end adjustments to various accounts require City Council action. These adjustments are to carry over unspent funds from the last fiscal year to the current fiscal year. These carry overs are the result of either previous City Council policy direction or requirements associated with the funds.

Discussion

For FY23, the General Fund ended \$21,739,731 in excess of its 17% fund balance policy.

The economic rebound from COVID 19 that began in FY22 continued in FY23. Despite record high interest rates and inflation, the City's largest revenues performed above projected budget amounts. Real Estate Taxes performed above projection as real estate prices continued to increase. Continued increases in consumer spending coupled with higher prices resulted in better performance for Lodging Taxes, Meals Taxes, Personal Property Taxes, and Business Licenses. Interest Income from the City's investment of its idle cash also performed significantly above budget projections as a result of higher interest rates.

Overall, General Fund revenues performed \$13.9M above budget. Top performing revenues compared to budget include (amounts shown above budget):

- Real Estate Taxes = \$5.5M
- Meals Taxes = \$2.0M
- Lodging Taxes = \$1.1M
- Personal Property Taxes = \$2.4M
- Business Licenses = \$1.3M
- Interest = \$1.5M

The majority of City departments spent less than budgeted resulting in significant budget savings. Similar to FY22, the majority of savings were in salaries and benefits from vacant positions. Citywide salary and benefit savings totaled approximately \$6.7M with the largest savings coming from Police, Parks and Recreation, and Public Works.

It should be noted that halfway through FY23, the then Interim City Manager publicly noted these vacancies and directed departments to make filling these positions a priority. A notable example of this renewed emphasis is the City's Police Department recently graduated its largest and most diverse class of 14 new police officers from the training academy.

In addition to salary and benefit savings, vacant positions also result in additional savings from fewer purchases of related supplies, equipment, tools, etc used by employees in those positions.

The total combined General Fund fund balance increased from \$66.3 million at the end of FY22 to \$72.1 million at the end of FY23. When restricted uses of fund balance are netted out (including the City's 17% fund balance policy), the General Fund finished with \$21.7 million of unrestricted funds in fund balance.

Recommendation/Carryover Request:

The FY23 year end appropriation totals approximately \$26.3M, grouped in to four categories:

General Fund	\$21,739,731.00
Facilities Repair Fund	\$24,965.88
Grants Fund	\$14,596.91
Capital Improvements Fund	\$91,064.00
Schools Gainsharing	\$4,422,395.00

TOTAL \$26,292,752.79

Details for each of these categories are listed below.

<u>1. General Fund = \$21,739,731.00</u> Staff recommend the following uses of these funds for previous commitments and one-time uses:

a. Unfunded 2% Retiree COLA granted in FY24	\$2,600,000
b. Finance/IT - SAP (financial management system) upgrade	\$1,500,000
c. Citywide Reserve	\$500,000
d. City refuse contract - contractual CPI increase	\$400,000
e. Parks and Recreation - Riverview Park restrooms	\$300,000
f. Maintenance fund for City leased properties	\$200,000
g. City Attorney's Office capacity	\$92,500
h. Police Department - sign on bonuses for new officers	\$68,000
i. Parks and Recreation - staff reorganization	\$50,000
j. CAT - radios	\$49,300
k. City Attorney's Office - office improvements	\$47,000
Police Department - upfit of new substation in Transit Station	\$47,000

m. Fire Department - vehicle for new Battalion Chiefn. Police Department - Guardian Score pilot program\$45,000\$20,000

SUBTOTAL \$5,918,800

BALANCE TO BE TRANSFERRED TO CIP CONTINGENCY

(per Financial Management Policy)

\$15,820,931

In addition to these recommendations for the General Fund, several carry over appropriations listed below are needed to close the books for the fiscal year.

2. Facilities Repair Fund = \$24,965.88.

Unspent restricted courts fees for Courthouse maintenance and construction will be carried over in the Facilities Repair Fund.

3. Grants Fund = \$14,596.91.

Unspent State Fire Grant funds to be used for qualifying expenditures.

4. Capital Projects Fund = \$91,064.00

Funds pursuant to memorandum of understanding with CARS.

5. Schools Gainsharing = \$4,422,395.00

For the year ending June 30, 2022, the Schools had an operating surplus of \$4,422,395.00. The Schools, with staff concurrence, recommend the full amount be transfer to the FY24 Capital Improvements Program to offset costs for school capital projects.

Alignment with City Council's Vision and Strategic Plan

This resolution aligns with the Strategic Outcome Area of Organizational Excellence.

Community Engagement

This agenda item includes a public hearing and is the first reading of this appropriation.

Budgetary Impact

Funds from the year-end surplus are considered to be a one-time revenue and should be used for one-time uses or projects. The recommended uses are either one-time in nature or are to be used to facilitate the incorporation of future cost increases into the annual budget.

Recommendation

Staff recommend that Council approve the first reading of the attached resolution amending the FY24 budget.

Alternatives

Amend the recommendations and/or amounts.

Attachments

1. FY23 Year End Appropriation

RESOLUTION

To Amend the City Budget Adopted for Fiscal Year 2024 ("Year End" Appropriation)

WHEREAS the Charlottesville City Council has received and reviewed the results of the year-end audit for Fiscal Year 2023, which identified a surplus of appropriations over expenditures; and

WHEREAS the City Council desires to amend the budget previously adopted for Fiscal Year 2023, to increase the amount of authorized expenditures by a total of \$26,292,752.79 and, since this Budget Amendment exceeds one percent (1%) of the total expenditures shown in the currently-adopted budget, City Council conducted a public hearing on the proposed amendment following public notice given in accordance with Virginia Code §15.2-2507(A); now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the expenditures hereinafter set forth are hereby authorized and appropriated within the accounts of the City for the uses listed below, for the Fiscal Year ending June 30, 2023. The details explaining the purposes for which the following expenditure amounts are authorized, shall be as set forth within the City Council agenda memo dated January 16, 2024, which agenda memo is incorporated into this Resolution by reference.

I. GENERAL FUND.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year and shall remain as continuing appropriations unless further altered by Council:

Unfunded 2% Retiree COLA granted in FY24 Finance/IT - SAP (financial management system) upgrade Citywide Reserve	\$2,600,000 \$1,500,000 \$500,000
City refuse contract - contractual CPI increase	\$400,000
Parks and Recreation - Riverview Park restrooms	\$300,000
Maintenance fund for City leased properties	\$200,000
City Attorney's Office capacity	\$92,500
Police Department - sign on bonuses for new officers	\$68,000
Parks and Recreation - staff reorganization	\$50,000
CAT - radios	\$49,300
City Attorney's Office - office improvements	\$47,000
Police Department - upfit of new substation in Transit Station	\$47,000
Fire Department - vehicle for new Battalion Chief	\$45,000
Police Department - Guardian Score pilot program	\$20,000
Transfer to CIP Contingency	\$15,820,931

Total Section I. \$21,739,731

II. FACILITIES REPAIR FUND.

Courthouse Maintenance (P-00099) - \$10,368.97 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.

Courthouse Construction (P-00783) - \$14,596.91—These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

Total Section II. \$24,965.88

III. GRANTS FUND.

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

\$14,596.91 – these funds will be used for additional qualifying State Fire Grant expenditures (1900010).

Total Section III. \$14,596.91

IV. CAPITAL PROJECTS FUND.

Funds pursuant to memorandum of understanding with CARS.

Total Section IV. \$91,064

V. SCHOOLS GAINSHARING.

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and the City.

For the year ending June 30, 2023, the Schools had an operating surplus of \$4,422,395. The Schools, with staff concurrence, recommend the full amount be transfer to the FY24 Capital Improvements Program for school capital projects.

Total Section V. \$4,422,395

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required:

Presenter: Samuel Sanders, Jr., City Manager

Staff Contacts: Samuel Sanders, Jr., City Manager

Alexander Ikefuna, Director of Community Solutions

Brenda Kelley, Redevelopment Manager

Title: Resolution to appropriate ARPA funding and authorize the City Manager

to acquire Avon/Levy Property for future redevelopment - \$4,000,000 (1 of

2 readings)

Background

The city is proposing to acquire 405 Avon Street/405 Levy Avenue for future use for permanent affordable housing. The two properties are contiguous and currently vacant. 405 Avon Street is a vacant parcel that is being used as a shared use arrangement for city employee parking and Charlottesville Redevelopment and Housing Authority (CRHA). This is a good opportunity to acquire such naturally occurring prime parcels for affordable housing development.

Discussion

This proposal would potentially pre-empt the tendency for the property to slip to another buyer, resulting in a rent increase. The City and CRHA have an opportunity at this point to acquire and indefinitely preserve this property as an affordable unit.

Property information:

405 Avon Street

Assessed Value: \$967,100

Acres: 0.2490 AC. 405 Levy Avenue

Assessed Value: \$1,682,300

Acres: 0.8400

Council would need to approve acquisition of these properties and a reallocation of funds and appropriate them for this designated purpose. The property has been studied by CRHA as a part of its Sustainability Plan with a value that exceeds current assessment. An appraisal has been ordered and the request is to provide up to \$4.2M to acquire the property. This acquisition supports the City Manager's commitment to homelessness intervention as it could become the site of a facility that serves to meet that need among others. The intention is to hold the property until a comprehensive

assessment of homeless service needs - including shelter beds -is completed, along with a feasibility study to operate 24/7, 365 days a year.

Alignment with City Council's Vision and Strategic Plan

This request aligns with the following: the City Council's Strategic Plan Framework Outcome Areas for Housing and Partnerships; the 2021 Affordable housing Plan.

Comprehensive Plan Guiding Principles

- Equity & Opportunity All people will be able to thrive in Charlottesville.
- Community Culture and Unity Charlottesville's rich and diverse culture and form will be celebrated, and the entire community will feel welcomed, valued and respected.

Community Engagement

There have been several community engagement meetings and activities conducted as part of the 2023 Comprehensive Plan update and 2021 Affordable Housing Plan process. City staff has also been engaged with CRHA on a regular basis regarding redevelopment activities, including exploring proactive ways to spur affordable housing; one of which is this proposal to acquire 405 Levy Avenue and 405 Avon Street and re-purpose them for sustainable and permanent affordable housing.

Budgetary Impact

The cost for this request is \$4 million.

Recommendation

The City Manager and Staff recommend that the City Council approve the proposed request.

Alternatives

Council may elect not to approve the recommendations, which would have a negative effect on the City's goal of increasing permanent affordable housing and addressing homelessness.

Attachments

Resolutuion Levy Avon Property January 2024

RESOLUTION

Allocation of previously appropriated American Rescue Plan Act (ARPA) revenue replacement funds for purchase of Levy/Avon Property \$4,000,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$4,000,000 is hereby authorized to be allocated from currently appropriated funds in the below accounts to be used for the purchase of the Levy/Avon property.

Source	Internal Order	<u>Funds</u>
Affordable Housing and Services	1900497	\$1,427,916
Agency Investment Fund	1900496	\$1,000,000
Arts and Festival Fund	1900492	\$560,000
CFD Accreditation	1900482	\$544,050
Human Resources Support	1900493	\$270,000
Human Rights Commission Support	1900495	\$176,000
CFD Bonus	1900483	\$19,400
Sheriff Bonus	1900484	\$2,634
TOTAL		\$4,000,000

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: January 16, 2024

Action Required: Amendments to City Code Chapter 22, Sec. 22-4

Presenter: Jacob Stroman, City Attorney, April Wimberley, Assistant City Attorney

Staff Contacts: Vernice Grooms, Procurement Manager

Title: Ordinance to amend the procurement provisions of the City Code to

achieve consistency with the Virginia Code

Background

Chapter 22, section 22-4 of the City Code authorizes various methods of procuring goods and services for the City. These methods are derived from the Virginia Public Procurement Act, which is amended from time to time by the General Assembly. The proposed ordinance would amend the City Code to become consistent with changes to the state law. Specifically, the proposed changes to the City Code would permit some goods and services to be procured through competitive negotiation, rather than competitive sealed bidding, without a prior written determination regarding the impracticability or fiscal disadvantage of using the sealed bidding process. The proposed changes would also remove certain limitations to the use of cooperative procurement for construction contracts and permit the use of cooperative procurement for certain kinds of contracts. Finally, the proposed changes would make certain small changes for clarity and readability.

Discussion

The General Assembly amended the Virginia Public Procurement Act to provide more flexibility to localities and to promote efficiency in public procurement. To this end, Virginia Code sec. 2.2-4303 was amended to permit competitive negotiation, rather than competitive sealed bidding, for certain kinds of contracts without a prior written determination regarding the impracticability or fiscal disadvantage of using the sealed bidding process. This applies to contracts for goods and nonprofessional services. In addition, the Virginia Code was amended to remove restrictions regarding the use of cooperative procurement for construction contracts. Previously, a locality could use cooperative procurement for a construction contract of more than \$200,000 only if the partner locality (whose contract was being referenced) was within 75 miles of the territorial limits of the locality seeking to procure construction services. That restriction has been eliminated. The Virginia Code was also changed to clarify that "construction" for purposes of cooperative procurement does not include contracts for the installation of artificial turf and track surfaces, stream restoration, stormwater management practices, or the installation of playground equipment. The proposed changes to the City Code would render the City's procurement rules consistent with state law as to those matters.

In addition, the proposed changes would clarify that, for the procurement of insurance through a licensed agent or broker, rather than through competitive sealed bidding or competitive negotiation, City Council must make a written determination that competitive negotiation is not practicable or fiscally advantageous. This would align the City Code with the requirements of state law.

The proposed changes would also add the Metropolitan Washington Council of Governments and the Virginia

Sheriff's Association to the list of public bodies and agencies with which the City may engage in cooperative procurement, aligning with changes to the Virginia Code.

Finally, various proposed edits would promote clarity and readability.

Our clients support these proposed changes to streamline procurement procedures, align with recent changes to state law, and promote clarity and consistency.

Alignment with City Council's Vision and Strategic Plan

Procurement practices touch every substantive area of the City's work. To the extent the practices can be made more flexible, efficient, and clear, all of City Council's strategic outcome areas will be positively impacted.

Community Engagement

Not applicable.

Budgetary Impact

There is little to no budgetary cost to implement the proposed changes; over the long-term, the improved procurement practices may yield savings from decreased bureaucratic burden and increased efficiency.

Recommendation

It is recommended that City Council adopt the ordinance with the proposed amendments to the City Code.

Suggested: "I move to approve the ORDINANCE to amend and reenact City Code Section 22-4."

Alternatives

City Council may choose not to adopt the proposed amendments, or to adopt some but not all of them.

Attachments

1. Proposed ORD to amend and reenact 22-4. Final

AN ORDINANCE TO AMEND AND REENACT CITY CODE SECTION 22-4

WHEREAS, in order to promote efficiency in the procurement of needed goods and services, the Virginia Public Procurement Act (VPPA) was amended to permit localities to use additional methods of procurement for certain kinds of contracts and to lessen the paperwork needed for certain transactions;

WHEREAS, the additional flexibility and efficiency offered by the state enabling legislation would benefit the City of Charlottesville in its procurement of needed goods and services:

WHEREAS, amendments to the procurement provisions of the City Code are necessary to enable the City to make use of the additional procurement methods and procedures afforded by the VPPA, and to bring the City Code into harmony with state enabling legislation;

WHEREAS, this Council has considered the staff recommendations regarding these changes to the procurement provisions of the City Code;

WHEREAS, this Council finds and determines that it is in the best interests of the citizens of the City of Charlottesville to promote efficiency in the procurement of needed goods and services;

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

Chapter 22 (City Procurement of Goods and Services from Non-Governmental Sources) of the Code of the City of Charlottesville (1990), as amended, Article I, Sec. 22-4, is hereby amended, re-ordained and re-enacted, as follows:

Sec. 22-4. Methods of procurement authorized.

- (a) All city contracts with nongovernmental contractors for the purchase or lease of goods, or for the purchase of services, (including construction, services) or insurance, shall be awarded after competitive sealed bidding or competitive negotiation, unless otherwise authorized by the Virginia Public Procurement Act or this chapter.
- (b) Professional services shall be procured by competitive negotiation.
- (bc) Goods, and non-professional services, and insurance shallmay be procured by competitive sealed bidding or competitive negotiation.
- (d) Insurance may be procured by competitive sealed bidding or competitive negotiation. However,
 - (1) Upon a written determination, made in advance by the procurement manager, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, goods, services, or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination.
 - (2) Uupon a written determination, made in advance by <u>City Council</u>the procurement manager, that competitive negotiation is either not practicable or not fiscally

advantageous, insurance may be procured through a licensed agent or broker. The licensed agent or broker shall be selected in the manner provided for the procurement of things other than professional services using a competitive negotiations process.

- (ee) Construction services shall be procured by competitive sealed bidding. However, upon a written determination, made in advance by the procurement manager, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, the following construction services may be procured by competitive negotiation:
 - (1) Contracts for the construction of public streets and any draining, dredging, excavation, grading or similar work upon real property, or
 - (2) <u>Fixed-price contracts f</u>For design-build <u>andor</u> construction management <u>contracts</u> as provided in § 2.2-43<u>7</u>98 of the Code of Virginia.
- The procurement manager's determination shall document the basis for their determination. (fd) Upon a written determination, made in advance by the procurement manager, that there is only one (1) source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation. The writing shall document the basis for this determination. The procurement manager shall issue a written notice stating that only one (1) source was determined to be practicably available, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted on the city's website. In addition, the notice may be posted in a designated public area or published in a newspaper of general circulation on the day the city awards or announces its decision to award the contract, whichever occurs first.
- (eg) In case of emergency, a contract may be awarded without competitive sealed bidding or competitive negotiation; however, such procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be prepared by the procurement manager and included in the contract file. The procurement manager shall issue a written notice stating that the contract is being awarded on an emergency basis, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted on the city's website. In addition, the notice may be posted in a designated public area or published in a newspaper of general circulation on the day the city awards or announces its decision to award the contract, whichever occurs first, or as soon thereafter as is practicable.
- (fh) Competitive sealed bidding or competitive negotiation are not required for single or term contracts if the procurement is made pursuant to The procurement manager may establish written procedures ("small purchase procedures"), established by the purchasing manager and approved by the city manager, for single- or term-contracts for:
 - (1) Goods and services (other than professional services) and non-transportation related construction, if the aggregate or the sum of all <u>phasesamounts to be paid to the</u> contractor is not expected to exceed two hundred thousand dollars (\$200,000.00); and
 - (2) Transportation-related construction, if the aggregate or sum of all phases is not expected to exceed twenty-five thousand dollars (\$25,000.00); and
- (3) Professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed eighty thousand dollars (\$80,000.00). Such small purchase procedures shall provide for competition wherever practicable.

- (gi) Upon a determination made in advance by the procurement manager and set forth in writing that the purchase of goods, products or commodities from a public auction sale is in the best interests of the public, such items may be purchased at the auction, including online public auctions. The writing shall document the basis for this determination. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates, shall not be made by online public auctions.
- (hj) The purchase of goods or nonprofessional services, but not construction or professional services, may be made by reverse auctioning. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates, shall not be made by reverse auctioning.
- (ik) The city may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with one (1) or more other public bodies, or public agencies or institutions or localities of the several states, of the Commonwealth of Virginia, of the United States or its territories, the District of Columbia, or the U.S. General Services Administration, or the Metropolitan Washington Council of Governments, for the purpose of combining requirements to increase efficiency or reduce administrative expenses, in any acquisition of goods, and services, or construction.

<u>In addition, aA</u> public body may purchase from another public body's contract <u>or from the contract of the Metropolitan Washington Council of Governments or the Virginia Sheriffs' <u>Association</u>, even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies, except <u>contracts</u> for:</u>

- (1) Contracts for a Architectural or engineering services; or
- (2) Construction in excess of two hundred thousand dollars (\$200,000.00) by a local public body from the contract of another local public body that is more than a straight line distance of seventy-five (75) miles from the territorial limits of the local public body procuring the construction. This subsection shall not apply to (i) The installation of artificial turf or other athletic surfaces, (ii) stream restoration, (iii) stormwater management practices, or (iv) the installation of playground equipment, including all associated and necessary construction and maintenance. shall not be subject to the limitations prescribed in this subsection. Nothing in this subsection shall be construed to prohibit sole source or emergency procurements awarded pursuant to subsections (df) and (eg) of this section.
- No contract for the construction of any building or for an addition to or improvement of an existing building by the city or any of its agencies, boards or departments for which state funds of not more than fifty thousand dollars (\$50,000.00) in the aggregate or for the sum of all phases of a contract or project either by appropriation, grant-in-aid or loan, are used or are to be used for all or part of the cost of construction, shall be let except after competitive sealed bidding or competitive negotiation.
- (km) Upon a determination made in advance by the procurement manager and set forth in writing that neither competitive sealed bidding nor competitive negotiations would be practicable or fiscally advantageous to the city, tThe city in its capacity as a utility operator may purchase services through or participate in contracts awarded by one (1) or more utility operators that are not public bodies for utility marking services as required by the Underground Utility Damage Prevention Act (§ 56-265.14 et seq. of the Code of Virginia). A purchase of

services under this subsection may deviate from the procurement procedures provided in this chapter, provided that the contract is awarded procurement manager certifies in writing that the contract has been awarded based on competitive principles and that the purchasing manager makes a determination in advance and in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public.

This ordinance shall be effective as of June 11, 2023.

Approved as to form:

Jacob P. Stroman

Jacob P. Stroman City Attorney January 5, 2024

The Honorable Charlottesville City Council P.O. Box 911 Charlottesville, VA 22902

Re: Quarterly Update – January 2024

Councilors:

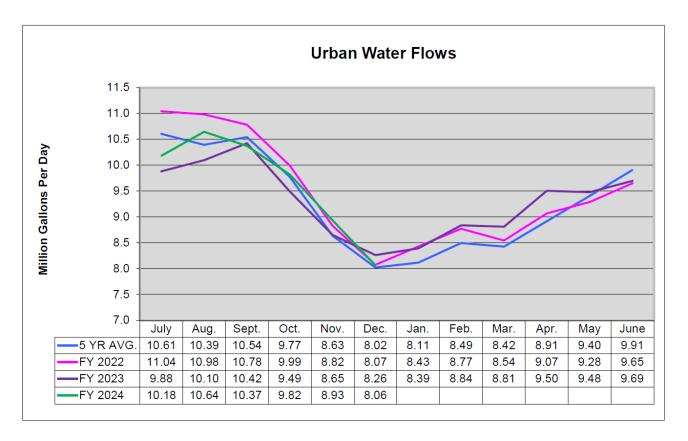
This quarterly update is to provide general information on the drinking water supply and treatment, wastewater collection and treatment, and refuse disposal and recycling programs managed by the Rivanna Authorities for the benefit of the Charlottesville/Albemarle community, as follows:

- 1. Drinking Water Supply as January 3, 2024:
 - A. Our Urban reservoirs (Sugar Hollow, South Rivanna, Ragged Mountain) are 94% full. Beaver Creek Reservoir (Crozet) and Totier Creek Reservoir (Scottsville) are 100% full.
- 2. Drought Monitoring as of January 1, 2024:
 - A. As shown below, we were 14.66 inches, or 35%, below normal precipitation in 2023, and 20.5 inches, or 16%, below normal over the last three years.

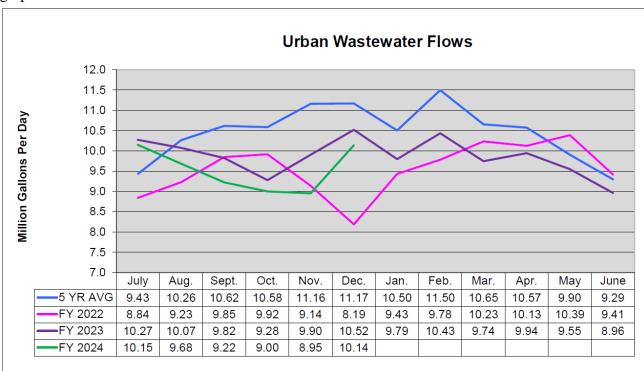
	Charlottesville Precipitation					
Year	Month	Observed (in)	Normal (in)	Departure (in)		
2021	Total: Jan - Dec	33.82	41.61	-7.79		
2022	Total: Jan - Dec	43.53	41.61	+1.92		
2023	Total: Jan - Dec	26.95	41.61	-14.66		

Source: National Weather Service, National Climatic Data Center.

3. The production of drinking water for the Urban area (Charlottesville and adjacent developed areas of Albemarle, not including Crozet or Scottsville) averaged 8.06 million gallons per day (MGD) in December 2023 (FY 2024), which was slightly above the five-year average for December (8.02 MGD), as shown by the following graph:



4. Urban wastewater flow for December 2023 (10.14 MGD), including flows from Crozet but not from Scottsville, was below the five-year average for December (11.17 MGD), as shown by the graph below.



5. A general overview of significant current and future drinking water, wastewater and solid waste Capital Improvement Projects is provided below. Cost allocations between the Charlottesville Department of Utilities (City; non-general utility funds) and the Albemarle County Service Authority (ACSA), are identified for each project.

A. <u>Airport Road Water Pumping Station and Piping</u>

Scope: Provide a drinking water pumping station and piping to improve reliability in the northern area of the Urban Water System.

Completion: December 2021 – September 2024

Cost: \$10 million: 100% ACSA

B. Electrical System Replacement, Moores Creek Wastewater Treatment Facility

Scope: Replace major electrical cabling and equipment installed around 1980 which have reached the end of their service lives.

Completion: May 2022 – December 2024

Cost: \$5 million: 52% ACSA / 48% City

C. Red Hill Water Treatment Plant Upgrade

Scope: Provide additional space to house water treatment equipment including a granular activated carbon filter.

Completion: June 2024 – December 2025

Cost: \$2 million: 100% ACSA, with partial grant from County

D. South Rivanna River Crossing

Scope: Provide a second pipe (24" diameter) using trenchless technology to convey treated drinking water under the river. The second pipe will provide a redundant water supply and increase capacity to serve the northern area of the Urban Water System.

Completion: August 2024 – June 2026 Cost: \$7 million: 100% ACSA

E. Urban Area "Central Water Line"

Scope: Provide large diameter piping (24" and 36") to more efficiently convey drinking water and strengthen the Urban Area drinking water system for the benefit of City and County residents and businesses. This five-mile-long piping project will extend from the Stadium Road area to the Long Street / E. High Street bridge and follow a route which includes: Stadium Road, Piedmont Avenue, Price Avenue, Lewis Street, Jefferson Park Avenue, Cleveland Avenue, Cherry Avenue, Elliott Avenue, 6th Street SE, South Street, Avon Street, 10th Street NE, Little High Street, 11th Street NE, E. High Street, and a connection near Roosevelt Brown Boulevard.

Completion: December 2024 – December 2028 Cost: \$47 million: 52% ACSA / 48% City

F. Water Pipe and Pump Stations Replacement, Ragged Mountain Reservoir to Observatory Water Treatment Plant

Scope: Replace water pipes and pump stations which convey untreated water from the Ragged Mtn Reservoir to the Observatory WTP. These facilities have reached the end of their service lives and require replacement to adequately and reliably support the upgraded Observatory WTP.

Completion: September 2024 – December 2028 Cost: \$46 million: 52% ACSA / 48% City

G. Moores Creek Administration Building Renovation and Addition

Scope: Renovate the existing administration building constructed in the 1980's, including improvements to the Laboratory and Information Technology spaces. The project will also include a building addition to provide spaces for a community education area, staff currently housed in temporary trailers, as well as future staffing.

Completion: September 2024 – May 2027

Cost: \$20 million: 52% ACSA / 48% City

H. Crozet Water Treatment Plant GAC Expansion

Scope: Provide additional facilities and equipment to increase the water treatment capacity of the granular activated carbon filters from 1 to 2 million gallons per day.

Completion: April 2025 - October 2026

Budget: \$6.5 million: 100% ACSA with partial VDH grant

I. Emmet Street Water Line Betterment

Scope: RWSA is coordinating with the City to construct a 24 - 30" water main in Emmet Street from Ivy Road to Arlington Boulevard as part of the City's Emmet Streetscape Phase I project.

Completion: October 2024 – October 2026 Cost: \$3 million: 52% ACSA / 48% City

J. Moores Creek Structural and Concrete Rehabilitation

Scope: Complete repairs to concrete basins and wastewater treatment facilities constructed in the late 1970's.

Completion: September 2024 – December 2026 Cost: \$13.5 million: 52% ACSA / 48% City

K. Crozet Wastewater Pump Stations Rehabilitation

Scope: Replace pumps, valves and electrical gear in four pump stations constructed in the 1980's which convey wastewater from Crozet to the Moores Creek Treatment Plant.

Completion: January 2025 - December 2026 Cost: \$11 million: 52% ACSA / 48% City

L. North Rivanna Water Treatment Plant Decommissioning

Scope: Demolish this small plant constructed in the 1970's, and the low head dam in the N. Fork Rivanna River, to utilize capital and operating investments more effectively in the larger water treatment plants, South Rivanna and Observatory.

Completion: 2026 - 2027

Cost: \$3 million: 52% ACSA / 48% City

M. South Rivanna Reservoir to Ragged Mountain Reservoir Pipe and Pump Station

Scope: Construct an 8 mile long, large diameter pipe (36") and pump station to transfer untreated water between the South Rivanna and Ragged Mtn Reservoirs, as required by the community's drinking water supply plan. This infrastructure will increase the water storage capacity of the Ragged Mtn Reservoir by 700 million gallons. Complete intake tower and perimeter grading modifications at the Ragged Mtn Reservoir.

Completion: 2025 - 2030

Cost: \$84 million: 80% ACSA / 20% City

N. Beaver Creek Dam, Pump Station and Piping Improvements

Scope: Replace the spillway, which protects the reservoir dam, along with the water pump station and piping which convey untreated water to the Crozet Water Treatment Plant.

Completion: 2026 - 2029

Cost: \$47 million: 100% ACSA with partial federal NRCS grant

O. 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 piping will be located along McIntire Road between the McIntire Recycling Center and Preston Avenue.

Completion: TBD

Cost: \$5.5 million: 100% City

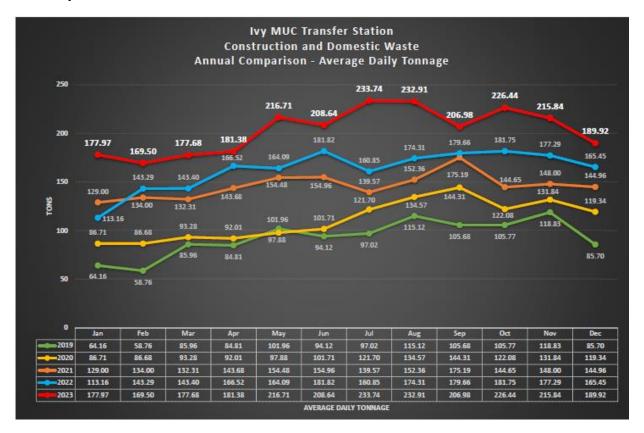
P. Recycling Baling Facility, Ivy Material Utilization Center

Scope: Replace the existing recycling materials baling facility which is located on leased property and has exceeded its service life. A new facility is essential to have an effective recycling program. The new facility will include equipment to compress cardboard, mixed paper, and plastic products into separate bales before shipment to a receiving vendor.

Completion: June 2024 - December 2025

Cost: \$6.4 million: 70% Albemarle County / 30% City

6. Average daily refuse volume at the Ivy Transfer Station has increased from 86 tons per day in December 2019 to 190 tons per day in December 2023, as shown below. Our contract hauler is driving about 14 trailer loads of refuse to Henrico County for disposal each day, Monday – Friday. A planning study to review future expansion alternatives for the refuse transfer program is underway.



Please let me know if you have any questions.

Amony

Sincerely,

William I. Mawyer, Jr., P.E.

Executive Director

cc: RSWA Board of Directors RWSA Board of Directors