



CITY COUNCIL AGENDA
May 5, 2025
City Hall Council Chamber

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) 987-1267 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide 48 hours' notice so that proper arrangements may be made.

Call to Order/Roll Call

Agenda Approval

Reports

1. Presentation: United Way of Greater Charlottesville's Prosper Program
2. Report: Water Supply Plan Update
3. Report: Charlottesville Economic Development Authority Annual Report

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

- Proclamation: Letter Carriers' Stamp Out Hunger® Food Drive Day
- Proclamation: Bike Month
- Proclamation: Adult Abuse Prevention Month

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.

Consent Agenda*

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. Individuals speaking during Community Matters may address items on the Consent Agenda.

4. Minutes: April 10 budget work session, April 21 regular meeting, April 24 special meeting
5. Resolution: One-year Annual Action Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for Program Year 2025-26 and Associated Funding Recommendations (2nd readings)
 - a. Resolution: Resolution approving the City of Charlottesville Program Year 2025-2026 One-year Annual Action Plan for the city's CDBG and HOME programs
 - b. Resolution: Resolution appropriating CDBG funds anticipated to be received from the U.S. Department of Housing and Urban Development as outlined in the Program Year 2025-2026 One-year Annual Action Plan, in the approximate amount of \$438,617 (2nd reading)

- c. Resolution: Resolution awarding HOME Investment Partnership Program funds anticipated to be received from the U.S. Department of Housing and Urban Development as outlined in the Program Year 2025-2026 One-year Annual Action Plan, in the approximate amount of \$83,016 (2nd reading)
- 6. Resolution: Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY25 - \$123,600 (1 of 2 readings)
- 7. Resolution: Resolution to appropriate \$150,000 from the Virginia Department of Criminal Justice Services Operation Ceasefire Grant Program (1 of 2 readings)
- 8. Resolution: Resolution to appropriate \$26,210.96 to the Charlottesville Albemarle Society for the Prevention of Cruelty to Animals ("CASPCA") (1 of 2 readings)
- 9. Resolution: Resolution to appropriate \$20,000 in Virginia Department of Criminal Justice Services - Children's Justice Act One-Time Grant Program funds (1 of 2 readings)
- 10. Resolution: Resolution to refund \$115,692.68 in Business Tangible Personal Property Tax
- 11. Resolution: Resolution to Appropriate Police Warehouse Outlet Sales Revenue to Equipment Replacement Fund (1 of 2 readings)

City Manager Report

- Report: City Manager Report

Action Items

- 12. Appeal: Board of Architectural Review Appeal: Denial of Demolition Certificate of Appropriateness for 144 Chancellor Street Contributing Structure
- 13. Public Hearing: Public Hearing regarding Exercise of Eminent Domain for the acquisition of right-of-way and easements in service to the East High Streetscape Project and the Barracks Emmet Streetscape Project
- 14. Resolution: Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements in Service to the East High Streetscape Project and the Barracks Emmet Streetscape Project
- 15. Public Hearing/Res.: Public Hearing and Resolution Authorizing a Right-of-Way Agreement with Dominion Energy for 1505 Avon Street Extended
- 16. Public Hearing/Res.: Public Hearing and Resolution to approve a Special Use Permit for a Commercial Lodging Special Use Permit at 401 Ridge Street
- 17. Resolution: Resolution to appropriate a grant of public funds for housing assistance to low- and moderate-income homeowners within the City
- 18. Resolution: Resolution to adopt a lease agreement with the Dogwood Vietnam Memorial Foundation for maintenance and operation of the memorial area at McIntire Park
- 19. Resolution: Resolution to allocate \$41,500 from FY26 Housing Operations and Programs Support of the FY26 Charlottesville Affordable Housing Fund as an Emergency Grant to the Blue Ridge Area Coalition for the Homeless for the Supportive Housing Program

General Business

20. By Motion: Confidential Settlement Agreement

Community Matters (2)

Adjournment

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



Agenda Date:	May 5, 2025
Action Required:	Informational presentation by the request of City Council
Presenter:	United Way President Ravi Cooper
Staff Contacts:	
Title:	United Way of Greater Charlottesville's Prosper Program

Background

United Way of Greater Charlottesville provides local families with the resources and tools they need to achieve financial resiliency. These programs provide direct assistance to families on their journey to economic stability and success.

Discussion

United Way Greater Charlottesville's vision is to foster "[a] strong, equitable community where everyone can thrive." This presentation discussed the strategic alignment between UWGC and the City of Charlottesville's vision and strategic initiatives, specifically Economic Prosperity. The presentation focuses on the launch of UWGC's Prosper program, which is a revamp of their longstanding Financial Resilience Taskforce work. The program, launched in February 2025, works to empower ALICE (Asset Limited, Income Constrained, but Employed) households earning 150-300% of FPL to become financially independent long-term by providing support, teaching useful skills, and offering financial incentives.

Alignment with City Council's Vision and Strategic Plan

The UWGC program aligns with the Council's vision and its strategic goal focused on economic prosperity.

Community Engagement

Not Applicable - this is a presentation for City Council's information and education.

Budgetary Impact

Recommendation

This presentation is a report to inform the City Council for their education and information.

Alternatives

This presentation is a report to inform the City Council for their education and information.

Attachments

1. United Way Greater Charlottesville Charlottesville City Council - May 5 2025 Presentation

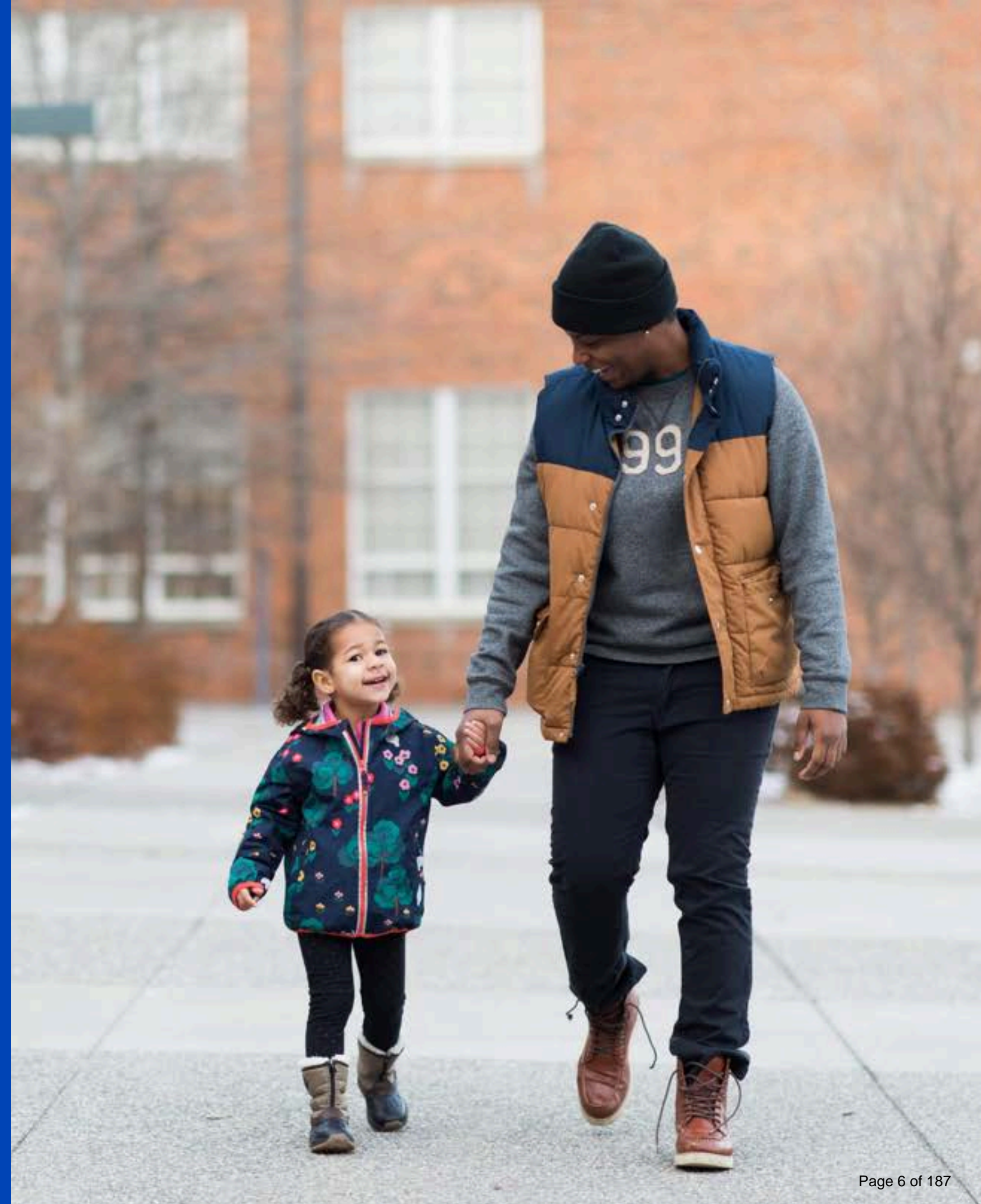


UNITED WAY
Greater
Charlottesville

ENVISION
HELPING ALL FAMILIES THRIVE

Partnership Opportunity: Helping Working Families PROSPER

May 5, 2025



A Shared Vision For Our Future



A strong, equitable community
where **everyone can thrive**



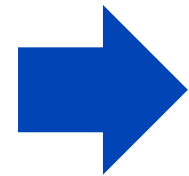
To be a place where
everyone thrives

Strategic Alignment



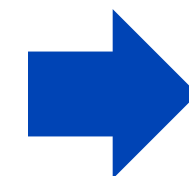
Financial Stability

We collaborate with an ecosystem of service-providers to ensure progress toward **family financial stability**.



Develop strategies and economic development opportunities that drive **economic prosperity for all**

Provide access and support for community members to **attain self-sufficiency**



- Increase median income
- Increase # of businesses
- Decrease poverty rate
- Decrease # of households paying 30%+ for housing

Existing Collaborations

- Pathways (DSS)
 - Administration services for rent/utility assistance
 - Early Learner Scholarships (DSS)
 - High-quality, year-round childcare for Cville families
 - Go2Grow (CCS)
 - “1-stop-shop” for 3,500+ families seeking childcare
 - ENVISION Enterprise Grants (OED)
 - Support for small business expansion
-
- Mixed Delivery
 - 79 add'l year-round childcare placements in Cville
 - Head Start
 - Community lead for 2025-26 joint application



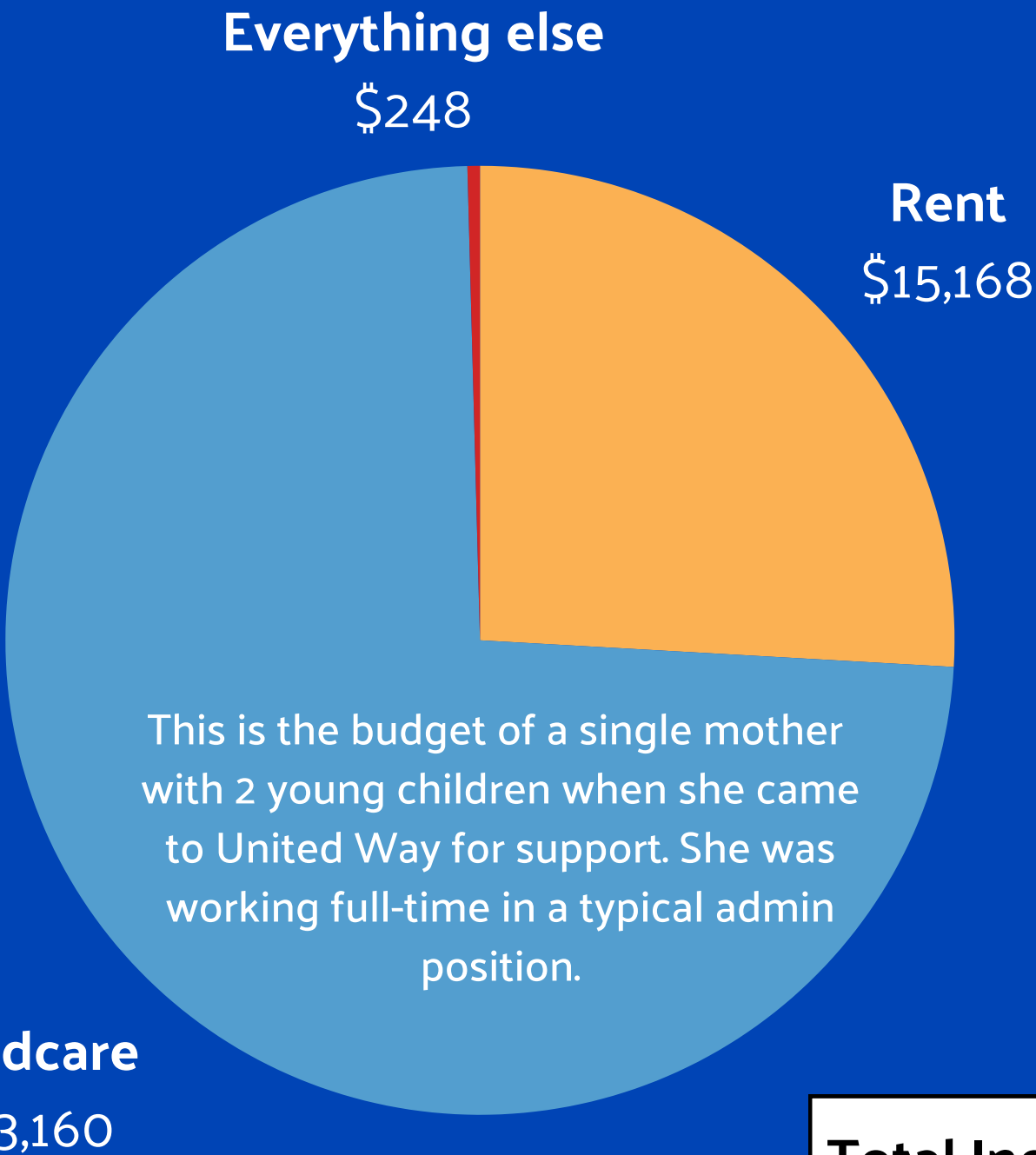
The Paradox for Working Families in Our Community

3,459 households in City of Cville are A.L.I.C.E.
(can't afford cost of living, but make too much to qualify for most social services)

“A.L.I.C.E.”
Asset-Limited
Income-Constrained
Employed

**UWGC ALICE benchmarks
use Federal Poverty Level**

Min 150% FPL = \$38,700 (family of 3)
Max 300% FPL = \$77,460 (family of 3)



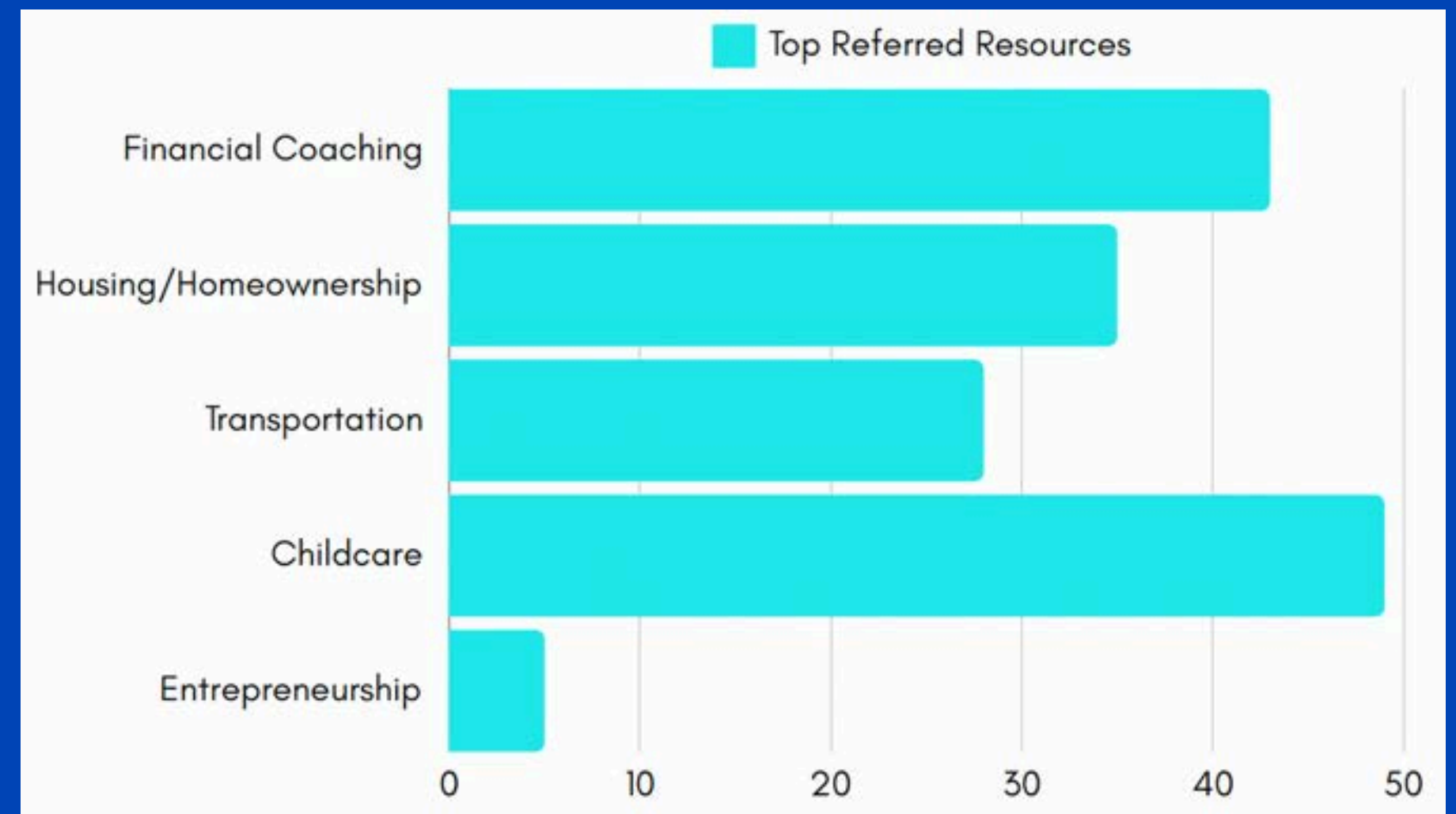
Total Income
\$58,576



Current Needs among ALICE Families

- 64%+ of primary income-earners in ALICE households **work 30+ hours/week** (only 2% are unemployed)
- Roughly 50% of **single-female-headed households** with children in Charlottesville are ALICE
- 48% of **Black households** are ALICE; 32% of white households

Financial Resiliency Task Force 2023-24



PROSPER: The Next Evolution of The FRTF

- **Differentiating ALICE clients (“PROSPER”)** vs. those who qualify for social services (“pre-PROSPER”) due to diversity of client needs
- UWGC to serve ALICE/PROSPER clients; offering add’l transportation, childcare services
- “Pre-PROSPER” clients served by **other FRTF partners**, with UWGC admin/referral support

Financial Resiliency Level Four	Income covers basic expenses, with some savings to cover emergency expenses. \$45,000-\$58,500	HVAC Mechanic	\$56,480
		Police Officer	\$56,190
		Medical Records Specialist	\$54,390
Financial Resiliency Level Four		Plumber	\$52,090
		Graphic Designer	\$51,920
		Office/Admin Support	\$48,900
		Truck Driver	\$48,610
		Auto Mechanic	\$48,340
		Bus Driver, School	\$47,470
		Dental Assistant	\$45,640
	FALL 2024 UPDATED PREVENTION LINE (PROSPER ABOVE; PRE-PROSPER BELOW)		
	Gaps in employment and emergencies may require periods of frugal spending to preserve lifestyle. \$37,000-\$45,000	Maintenance/Repair Worker	\$44,210
		Bus Driver, Transit/Intercity	\$41,120
Financial Resiliency Level Three		Construction Laborer	\$38,290
		Nursing Assistant	\$37,400
	ORIGINAL FRTF PREVENTION LINE		
	Employed full-time with benefits with for promotion to increase household income. \$30,000-\$37,000	Emergency Med Tech	\$36,940
Financial Resiliency Level Three		Customer Service Rep	\$36,710
	Employed full-time but without benefits, may result in need to link to safety net resources like food banks. \$30,000-\$37,000		



- **Launched Feb 2025** to empower ALICE households earning 150-300% of FPL to become financially independent long-term by providing support, teaching useful skills and offering financial incentives.
- **Individuals must demonstrate motivation** to improve financial skills and credit score to receive financial support, financial coaching, and budget management support.
- **Individuals receive up to \$2,500** to be used towards career development, job improvement skills, certifications, or entrepreneurship.
- **Individuals must be employed at least 30 hours/week** and live in the City of Charlottesville or Albemarle County.
- **Our goal is to serve 20 Charlottesville residents** by June 30.



PROSPER: Client Example

- Tamara Starchia, **single parent**, 1 child
- Currently employed at UVA Health as an **anesthesia technician**
 - Cannot advance further in this field
- Approved for PROSPER stipend to support **Emergency Medical Technician certification**
 - Will also help fund start-up uniform costs



PROSPER: Client Example #2

- Rashaude Breckenridge, **single father**, 2 sons
- **Non-emergency medical transportation** small business
 - Caring Connections, LLC
 - Primarily serving seniors and Medicaid clients
- Referral from **GO Start-Up Program** via OED
 - Past CIC participant



Partnership Proposal

- **FY25:** \$31,500 in support from City of Charlottesville
 - \$46,000 from UWGC to meet year 1 funding needs
- **FY26 (proposed):** \$50,000 from City of Charlottesville to fully fund 20 Charlottesville residents' participation in PROSPER
 - UWGC referrals to Downtown Job Center for clients <150% FPL
 - Direct contact at City of Cville for additional referrals from UWGC (Lyft program, etc.)





UNITED WAY
Greater
Charlottesville

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



Agenda Date: May 5, 2025
Action Required:
Presenter: Samuel Sanders, Jr., City Manager
Staff Contacts: Samuel Sanders, Jr., City Manager
Title: **Water Supply Plan Update**

Background

Discussion

Alignment with City Council's Vision and Strategic Plan

Community Engagement

Budgetary Impact

Recommendation

Alternatives

Attachments

1. Charlottesville City Council RWSP Presentation



Regional Water Supply Planning

1

DEQ Regulation Amendments

- Virginia Code amendments effective October 9, 2024 require **regional** water supply plans
- Regional Planning Area (RPA) assignments are based on river basins
- Middle James 1 Regional Planning Unit (RPU) includes: Charlottesville, Albemarle, Greene, Fluvanna, Louisa, and Buckingham (including towns and Authorities)
- TJPDC was asked to coordinate the planning effort for Middle James 1 RPU

2

2

L&RWSP Main Components

- Organize existing water source/resource information by jurisdiction
- Assessment of current and projected water demand
- Identification of water supply risks and **regional** strategies to address identified risks
- Alternatives analysis to address projected deficits
- Compile into single plan

5

5

Funding for Plan Development

- General Assembly appropriated \$462,000 in grant funds for first two years of water supply plan development
- **\$231,000 available for FY2025, another \$231,000 in FY2026, split amongst all RPUs.**
- **TJPDC awarded \$8,884 in planning funds in April 2025**
- VAPDC will be advocating for more funding at the GA
- Additional guidance documents from DEQ in Fall 2025
- Consultant may be needed to complete technical work

6

6

Next Steps

- Initial meeting with DEQ for the MJ1 RPU held March 25th
- Full implementation kick-off meeting to be scheduled after TJPDC receives funding contract from DEQ
- Develop Stakeholder Engagement Process
- Develop Project Scope and Budget
- Plan Submission Deadline to DEQ: October 9, 2029

7

7

Questions?



Contact:

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540-698-1272

Ruth Emerick
Chief Operating Officer and Program Director
remerick@tjpd.org
434-422-4821

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



Agenda Date:	May 5, 2025
Action Required:	Report is for informational purposes only.
Presenter:	Chris Engel, Director of Economic Development
Staff Contacts:	Chris Engel, Director of Economic Development
Title:	Charlottesville Economic Development Authority Annual Report

Background

This is an opportunity to update City Council on the activities of the Charlottesville Economic Development Authority ("CEDA"). In addition, at a recent City Council Meeting discussion involving potential affordable housing tax abatement strategies, the use of CEDA was mentioned as a way to help facilitate this action. This will also be addressed.

Discussion

The Report will cover the background of Industrial/Economic Development Authorities in Virginia, an overview of CEDA's history, and a review of major projects and highlights of current focus areas.

Alignment with City Council's Vision and Strategic Plan

CEDA supports the City's Economic Development Strategic Plan and the City's overall goal of Economic Prosperity.

Community Engagement

CEDA Meetings are open to the public.

Budgetary Impact

This item is a Report only and has no budgetary impact.

Recommendation

Alternatives

Attachments

None

CITY OF CHARLOTTESVILLE



Proclamation

**Letter Carriers’ Stamp Out Hunger®
Food Drive Day
May 10, 2025**

WHEREAS every year on the second Saturday in May, letter carriers across the country collect non-perishable food as part of the nation’s largest one-day food drive, distributing the donations to local food banks; and

WHEREAS the Letter Carriers’ Stamp Out Hunger® Food Drive is just one example of how letter carriers work to make a difference in the lives of those they serve; since the pilot food drive in 1991, more than 1.9 billion pounds of food have been collected; and

WHEREAS the City of Charlottesville wishes to recognize all letter carriers for their hard work and their commitment to their communities, but especially those in our own community whose efforts benefit those in need here in the Charlottesville area; and

WHEREAS we also recognize the noteworthy milestone of 33 years that the National Association of Letter Carriers' Food Drive celebrates in 2025.

NOW, THEREFORE, the Charlottesville City Council proclaims the 10th day of May 2025, as “LETTER CARRIERS’ FOOD DRIVE DAY” in the City of Charlottesville, and we encourage the residents of our community to support the food drive by placing non-perishable food items in or near your mailbox on food drive day. Your letter carrier will pick it up while delivering mail - and together, we can help feed those in hunger.

Signed and sealed this 21st day of April 2025.

Juandiego Wade, Mayor

Attest:

Kyna Thomas, Clerk

CITY OF CHARLOTTESVILLE



Proclamation

Bike Month 2025

WHEREAS bicycling is a healthy, clean, efficient and affordable mode of transportation and recreation used by thousands of citizens and residents of all ages throughout our great Commonwealth and City; and

WHEREAS traveling by bicycle has been proven to alleviate traffic congestion and reduce pollution associated with vehicular travel, and offer significant mental and physical health benefits to bicyclists themselves; and

WHEREAS the City of Charlottesville has undertaken ambitious goals to reduce greenhouse gas emissions and is committed to providing more multi-modal transportation options for all residents; and

WHEREAS Charlottesville, Albemarle County, and the University of Virginia, alongside a large cohort of businesses, agencies and community groups, are hosting many bicycling events that promote awareness, safety, new travel options, as well as building community; and

WHEREAS these groups, and many others, are also promoting the use of the bicycle as both a means of transportation and recreation year-round to improve community health, economic vitality, environmental stewardship and the simple joy of being active outdoors;

NOW, THEREFORE, BE IT RESOLVED that the Charlottesville City Council recognizes the month of May 2025 as Bike Month in the City of Charlottesville, encouraging all who support bicycling to participate in the events planned, and urging all road users to share the road safely.

Signed and sealed this 5th day of May 2025.

Juandiego Wade, Mayor

Attest:

Kyna Thomas, Clerk

CITY OF CHARLOTTESVILLE



Proclamation

Adult Abuse Prevention Month

WHEREAS adults of all ages—particularly older adults and adults with disabilities—deserve to live with dignity, independence, and free from abuse, neglect, and exploitation; and

WHEREAS adult abuse is a pervasive issue that can take many forms, including physical, emotional, sexual, and financial abuse, as well as neglect and self-neglect; and

WHEREAS abuse of vulnerable adults often goes unreported and unrecognized, making it imperative to educate the public, caregivers, and professionals about the warning signs and reporting mechanisms; and

WHEREAS the Virginia Department for Aging and Rehabilitative Services, Adult Protective Services, local human service agencies, law enforcement, healthcare providers, and community organizations are committed to preventing and addressing adult abuse through education, advocacy, and support services; and

WHEREAS raising awareness and promoting public engagement are essential to preventing abuse and ensuring that older and vulnerable adults can lead secure and empowered lives within our community; and

WHEREAS the City of Charlottesville recognizes the importance of fostering safe, inclusive, and supportive environments for all adults and reaffirms its commitment to protecting the rights and wellbeing of its residents;

NOW, THEREFORE, BE IT RESOLVED that the Charlottesville City Council proclaims May 2025 as **Adult Abuse Prevention Month** in the city of Charlottesville, Virginia, and we urge all community members to recognize the signs of adult abuse, to support prevention efforts, and to advocate for the protection and empowerment of older and vulnerable adults in our community.

BE IT FURTHER RESOLVED that the City of Charlottesville commits to supporting efforts to prevent adult abuse, to protect vulnerable adults, and to promote a community where all individuals can live with dignity and respect.

Signed and sealed this 5th day of May 2025.

Vice Mayor

Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

April 10, 2025 at 6:00 PM

CitySpace: 100 5th St NE, Charlottesville, VA 22902

The Charlottesville City Council convened in a special meeting on Thursday, April 10, 2025, to discuss budget development for Fiscal Year 2026 (FY26). Mayor Juandiego Wade called the meeting to order, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrein and Lloyd Snook.

Mayor Wade turned the meeting over to City Manager Samuel Sanders, Jr., who provided an agenda overview.

Krisy Hammill, Director of Budget, presented revised revenue projections, and funding decisions made by City Council throughout the budget development process to-date.

Commissioner of the Revenue Todd Divers, at the request of Councilor Snook, explained Business, Professional, and Occupational License (BPOL) tax.

Councilor Michael Payne arrived at 6:07 p.m.

Mr. Sanders explained revisions causing a reduction in the Council Discretionary Fund balance, and Ms. Hammill led Council through a line-by-line review of Council-directed funding allocations. Council discussed the processes for determining funding the Jefferson School African American Heritage Center and the Charlottesville Redevelopment and Housing Authority.

At Mayor Wade's request, Deputy City Manager Ashley Marshall described the ALICE (Asset Limited, Income Constrained, Employed) program and the PROSPER program with the United Way of Greater Charlottesville. She disclosed that she serves as a member of the United Way of Greater Charlottesville Board of Directors and does not vote on funding or make funding requests on their behalf. Several councilors indicated their support for filling a gap in funding for the ALICE Program.

Mr. Sanders introduced a request for The Tonsler League that was missed throughout the budget development process.

Councilor Snook requested discussion of a process by which budgetary items are brought before City Council outside of the regular budget process, for use of Council's discretionary funds. Mr. Sanders and Council discussed adding the topic for discussion during a City Council retreat. Council discussion informed funding amounts to include in the FY26 City Budget ordinance for adoption at a special meeting on April 14, 2025.

Vice Mayor Pinkston gave feedback from a meeting that he recently attended in which the public requested funding for 16 additional transit driver positions. Mr. Sanders stated that the City is doing everything it can to fill existing vacant positions, yet filling the positions continues to be a challenge. James Freas, Deputy City Manager, stated that Albemarle County will contribute funding for transit in the upcoming budget. Council discusses transit and funding questions in further detail.

Ms. Hammill reviewed upcoming meeting dates related to the City Budget:

- April 14 – budget adoption
- April 21 – Real Property Tax Rate public hearing
- April 24 – special meeting to vote on the tax rates

Council agreed to hold the April 24 meeting at 6:00 p.m.

Councilor Payne suggested revisiting the participatory budgeting initiative that began years ago.

Mayor Wade opened the floor for comments from members of the public. No speakers came forward.

On motion by Pinkston, seconded by Snook, Council voted unanimously to adjourn the meeting at 7:48 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

DRAFT



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES
April 21, 2025 at 4:00 PM
Council Chamber

The Charlottesville City Council held a regular meeting on Monday, April 21, 2025. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrein, Michael Payne, and Lloyd Snook.

On motion by Pinkston, seconded by Snook, Council unanimously adopted the meeting agenda.

REPORTS

1. REPORT: 2025 Affordable Housing Report

City Manager Samuel Sanders, Jr., introduced this report as the Annual Affordable Housing Update.

Antoine Williams, Housing Program Manager with the Office of Community Solutions, presented the 2025 Affordable Housing Report. In 2021, the City of Charlottesville (“City”), adopted its first Affordable Housing Plan (“AHP”). This foundational document called for a bold, equity-centered approach to reversing decades of underinvestment, exclusionary land use policy, and housing insecurity. Central to the Plan was a \$100 million, ten-year (FY2022 - 2032) funding commitment endorsed by City Council. The AHP’s funding strategy aims to expand affordable housing, prevent displacement, and establish a transparent governance system for effective stewardship. The 2025 Affordable Housing Report provided a detailed review of investments, program outcomes, and system reforms implemented between FY2022 and FY2025, the first significant checkpoint since the AHP’s adoption. The aim of the report was to:

- Document how the City allocates affordable housing funds across various funding streams, including direct investments, tax relief programs, and administration.
- Provide an update on the City’s established ten (10)-year vision for housing equity and affordability.
- Provide high-level analysis of investment consistency with the AHP’s income-level targeting recommendations (50% of funds for <30% AMI households).
- Provide an update on the City’s ten (10)-year affordable housing production and preservation strategy, which includes producing 1,100 new supported affordable units, preserving 1,300 existing units, and stabilizing up to 2,200 households through tax relief, vouchers, rehabilitation, and related supports.
- Summarize emerging strategies (e.g., land bank, tax abatements) to sustain long-term affordability.

Mr. Williams and Alex Ikefuna, Director for the Office of Community Solutions, answered questions from City Council.

2. REPORT: Housing Ecosystem Anti-Displacement Toolkit (HEAT) Update: Expanding Affordable Options and Stability

- a. Report: Establishing the Land Bank Authority: Progress and Next Steps**
- b. Report: Introducing CAHTAP: A New Tax Abatement Strategy for Housing Affordability**

Antoine Williams, Housing Program Manager with the Office of Community Solutions, presented the

Housing Ecosystem Anti-Displacement Toolkit (HEAT) update.

Alan Peura, Grants Analyst with the Office of Community Solutions, presented the Charlottesville Affordable Housing Tax Abatement Program overview, a proposed financial tool to offset housing developers' costs for providing Affordable Dwelling Units ("ADU") in compliance with the City's 2023 Development Code. Council indicated approval to move forward with exploration of a new tax abatement strategy for housing affordability and bringing forth data findings for cost-benefit analysis.

Mr. Sanders stated that there has been discussion about adjusting the Notice of Funding Availability schedule, moving the Request for Investments to an earlier date before the beginning of the budget development process.

With no closed meeting, Mayor Wade recessed the meeting from 5:36 p.m. to 6:30 p.m.

BUSINESS SESSION

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

ANNOUNCEMENTS

Councilor Oschrin announced May as Bike Month and encouraged the public to participate in events.

Councilor Payne announced vacancies on City boards and commissions and the May 1 application deadline.

RECOGNITIONS/PROCLAMATIONS

Councilor Oschrin presented a proclamation to members of the Dark Sky Piedmont Group, recognizing **April 21-28, 2025, as Dark Sky Week.**

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Lakiera Mills, Greene County resident, spoke about a family situation involving homelessness in the city of Charlottesville.
2. Richard Feero, city resident, suggested keeping 5th Street as-is, in light of recent proposals and requests to modify the road structure and reduce the speed limit. He stated that making changes to this road could impact traffic elsewhere.
3. Jim Moore, city resident, asked questions about the City's affordable housing efforts and made statements about processes for public input on use of city funds for housing.
4. Kevin Cox, city resident, spoke about a situation involving routine trash pickup for a specific trash can at a bus stop on Monticello Road.
5. A resident asked what the city is doing to make housing more affordable.

CONSENT AGENDA

Clerk Thomas read the following Consent Agenda items into the record, and on motion by Pinkston, seconded by Snook, Council unanimously adopted the Consent Agenda (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

3. MINUTES: April 7 regular meeting; April 14 special meeting

4. **RESOLUTION** to Appropriate \$1,304,308 from the Virginia Department of Transportation ("VDOT") for the Monticello 2nd Project (2nd reading)

Michael Goddard, Deputy Director of Public Works, at the request of Councilor Snook, explained the scope of the project, which was expanded from its initial scope. He confirmed that all funds are VDOT funds.

CITY MANAGER REPORT

Deputy City Manager James Freas announced on behalf of the Department of Utilities, a new free attic insulation self-assessment tool to support home energy efficiency. He stated that more information was available online at www.charlottesville.gov/utilityincentives.

City Manager Sanders made a brief statement about the format of the City Manager Report.

- a. Police Chief Michael Kochis presented the Charlottesville Police Department Annual Report. Councilor Snook asked for an update on efforts to understand questions raised in the Disproportionate Minority Contact Report from a couple of years ago. Responding to Councilor Oschrein, Chief Kochis stated that school zone speed cameras will be activated
- b. Fire Chief Michael Thomas introduced Senior Deputy Chief Scott Carpenter, who presented the Charlottesville Fire Department Annual Report.
- c. City Manager Sanders presented his Third Quarter Work Plan Update.

ACTION ITEMS

5. PUBLIC HEARING on the City of Charlottesville's Proposed Real Property Tax Rate

Krisy Hammill, Budget Director, introduced the item for public hearing, stating that there was no proposed tax rate increase for the Fiscal Year 2026 City Budget.

Mayor Wade opened the public hearing.

- James Moore, city resident, spoke about the effective tax rate increase advertised, and the impact of increased property assessments on residents.
- A resident asked about taxes on properties versus land value.

Mayor Wade closed the public hearing.

6. ORDINANCE Establishing the Annual Tax Levy for Tax Year 2025 (laid over to April 24)

Krisy Hammill, Budget Director, introduced the Ordinance Establishing the Annual Tax Levy for Tax Year 2025, including tax rates for 1) Real Property and Mobile Homes; 2) Personal Property; 3) Public Service Corporation Property; 4) Machinery and Tools; and 5) Energy Efficient Buildings.

Council unanimously agreed to lay the ordinance over for a second reading and vote at a special City Council meeting on Thursday, April 24, 2025.

7. RESOLUTION Establishing 2025 Tax Year Personal Property Tax Relief Percentage

Commissioner of the Revenue Todd Divers presented to request for resolution approval.

On motion by Snook, seconded by Oschrein, Council unanimously approved the resolution (Ayes:

Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

**RESOLUTION ESTABLISHING THE PERSONAL PROPERTY TAX
RELIEF PERCENTAGE FOR TAX YEAR 2025**

BE IT HEREBY RESOLVED by the Council of the City of Charlottesville, Virginia ("City Council"), that, pursuant to the requirements of Virginia Code § 58.1-3524, that personal property tax relief at the rate of thirty-one percent (31%) shall be applied to the first \$20,000 of value of each qualifying vehicle having a value of more than \$1,500; and

BE IT FURTHER RESOLVED by City Council that personal property tax relief at the rate of one hundred percent (100%) shall be applied to each qualifying vehicle having a value of \$1,500 or less.

8. PUBLIC HEARING for the Program Year 2025-26 One (1) -Year Annual Action Plan ("AAP") for the City's Community Development Block Grants ("CDBG") and HOME Investment Partnerships Programs, and corresponding funding recommendations (laid over to May 5).

Anthony Warn, Grants Analyst with the Office of Community Solutions, summarized the CDBG and HOME investment Partnership programs, and the subsequent resolution requests, and he answered questions from City Council.

Mayor Wade opened the public hearing. With no speakers coming forward, the mayor closed the public hearing.

- a. Resolution approving the City of Charlottesville Program Year 2025-2026 One-year Annual Action Plan for the city's CDBG and HOME programs
- b. Resolution appropriating CDBG funds anticipated to be received from the U.S. Department of Housing and Urban Development as outlined in the Program Year 2025-2026 One-year Annual Action Plan, in the approximate amount of \$438,617 (1 of 2 readings)
- c. Resolution awarding HOME Investment Partnership Program funds anticipated to be received from the U.S. Department of Housing and Urban Development as outlined in the Program Year 2025-2026 One-year Annual Action Plan, in the approximate amount of \$83,016 (1 of 2 readings)

Council unanimously agreed to lay the corresponding resolutions over to the May 5, 2025, City Council meeting for a second reading and vote on the Consent Agenda.

9. RESOLUTION allocating \$35,000 of FY25 Charlottesville Affordable Housing Fund as an Emergency Grant to the Blue Ridge Area Coalition for the Homeless ("BRACH") for Supportive Housing Program

Antoine Williams, Housing Program Manager, presented the funding resolution request.

On motion by Oschrin, seconded by Pinkston, Council unanimously approved the following resolution (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

**RESOLUTION ALLOCATION OF CHARLOTTESVILLE AFFORDABLE HOUSING
FUND (CAHF) FY25 AS EMERGENCY GRANT TO THE BLUE RIDGE AREA**

**COALITION FOR THE HOMELESS (BRACH) FOR SUPPORTIVE HOUSING
PROGRAM IN THE AMOUNT OF \$35,000**

WHEREAS, the City of Charlottesville, Virginia, having established the Charlottesville Affordable Housing Fund (CAHF) Grant Program to provide financial support for community agency programs aiding in affordable housing and homelessness relief, hereby allocates \$35,000 from the Charlottesville Affordable Housing Fund (CAHF) Grant Program under Fund 426 Project: CP-084, as per the Capital Improvement Program budget for FY2025; and

NOW, THEREFORE, BE IT RESOLVED The City Council, having received and reviewed recommendations from the CAHF Committee on the expenditure of CAHF funds for the CAHF Grant Program, resolves to allocate the amount to the Blue Ridge Area Coalition for the Homeless (BRACH) for Supportive Housing Program.

Fund	Project	GL Account	Applicant	Funded Project/Initiative	CAHF Award
426	CP-084	530670	Blue Ridge Area Coalition for the Homeless (BRACH)	Supportive Housing Emergency Grant	\$35,000

BE IT FURTHER RESOLVED that all funding awards within this resolution shall be provided as grants to the entity listed under the “Applicant” column above to be used solely for the purposes of the program listed in this resolution and any subsequent grant agreement. The City Manager is authorized to negotiate and execute funding grant agreements with each recipient to ensure proper utilization of funds.

10. RESOLUTION of Intent to participate in the Biophilic Cities Program

Kristel Riddervold, Director of the Office of Sustainability, presented the Resolution of Intent to participate in the Biophilic Cities Program. At the request of Mayor Wade and Council members, various colleagues answered questions about the request.

On motion by Pinkston, seconded by Snook, Council approved the resolution by a vote of 5-0: (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

**RESOLUTION EXPRESSING INTENT FOR THE CITY OF CHARLOTTEVILLE TO
PARTICIPATE IN THE BIOPHILIC CITIES NETWORK**

WHEREAS, the City of Charlottesville has long-standing commitments to environmental sustainability and community health and wellness, and City Council’s Strategic Plan Vision is “To be a place where everyone thrives,” including Strategic Outcome Areas focused on Climate Action, Recreation, Arts, and Culture, and Partnerships; and

WHEREAS, the City has already incorporated biophilic principles in a number of major policy documents and programs including the Comprehensive Plan, the Rivanna River Corridor Plan, the Climate Action Plan, the Development Code, the Parks and Recreation Master Plan, the Urban Forest Management Plan, and the Water Resources Protection Program; and

WHEREAS, Charlottesville has a rich and varied diversity of ecosystems that provide benefits to residents, workers, businesses, visitors and the diverse species we share our city and our region with; and

WHEREAS, evidence demonstrates that people are happiest, emotionally and physically healthiest, and most productive when working and living in close proximity to nature; and

WHEREAS, research suggests that exposure to nature can reduce stress, aid recovery from illness, enhance cognitive skills, improve academic performance, and aid in combatting childhood and adult illnesses; and

WHEREAS, in an increasingly urbanized world, it is incumbent upon cities to provide vital natural habitat to plant and animal species that may otherwise perish; and

WHEREAS, the concept of “biophilia” refers to the innate connection of humans to the natural world, and therefore “biophilic cities” are those that purposefully design, build, and manage their communities with abundant nature ensuring its residents have opportunities for deep, meaningful connection and engagement with the natural world as part of their daily life; and

WHEREAS, the Biophilic Cities Network is a community of biophilic cities from around the world whose leaders recognize the important connection between humans and the natural world and strive to place nature at the core of design and planning and work to create abundant opportunities to learn about and connect with nature; and

WHEREAS, a commitment to becoming a Biophilic City will support Charlottesville’s environmental sustainability and community health and wellness goals;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that we support the principles of the Biophilic Cities Network and commit to collaborating with other participating municipalities, institutions, and organizations to support urban biodiversity and create opportunities for all Charlottesville residents to connect with nature.

BE IT FURTHER RESOLVED that City staff are hereby authorized to submit an application for Charlottesville to join the Biophilic Cities Network.

GENERAL BUSINESS

11. WRITTEN REPORT: 2024 2024 Integrated Pest Management Report

Mayor Wade acknowledged receipt of the written report.

12. WRITTEN REPORT: Rivanna Authorities Quarterly Report

Mayor Wade acknowledged receipt of the written report.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public. No speakers came forward.

On motion by Snook, seconded by Oschrein, Council voted unanimously to adjourn the meeting at 8:43 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES
April 24, 2025 at 6:00 PM
Council Chamber

The Charlottesville City Council met in a special meeting on Thursday, April 24, 2025. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, with all councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston, and Councilors Natalie Oschrein, Michael Payne and Lloyd Snook.

On motion by Pinkston, seconded by Oschrein, Council unanimously adopted the meeting agenda.

ACTION ITEMS

1. Ordinance Establishing the Annual Tax Levy for Tax Year 2025 (2nd reading)

City Manager Samuel Sanders, Jr. and Budget Director Khristina Hammill summarized the purpose of the meeting.

On motion by Payne, seconded by Snook, Council voted 5-0 to adopt the **ORDINANCE TO ESTABLISH THE ANNUAL TAX LEVY FOR TAX YEAR 2025** (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none).

ORDINANCE

To Establish the Annual Tax Levy for Tax Year 2025

BE IT ORDAINED by the Council of the City of Charlottesville **THAT** in order to pay the general operating expenses of the City, including local support for the City's schools; to provide funding for other public purposes; and to pay interest on and to provide funding for retirement of City debt, taxes are hereby levied at the rates set forth within this Ordinance, for the current Tax Year (beginning at midnight on January 1, 2025 and ending December 31, 2025), and for each succeeding Tax Year during which this Ordinance continues in effect:

1. Section 1—Real Property and Mobile Homes

On real estate, including land and improvements thereon and mobile homes, the tax rate shall be \$0.98 on every \$100 of the assessed value thereof.

2. Section 2—Personal Property

On all automobiles, trucks, motorcycles and other motor vehicles; boats and aircraft; and on all tangible personal property used or held in connection with a business, trade, occupation or profession (excluding furnishings, furniture and appliances in rental units of 30 days or longer) the tax rate shall be \$4.40 on every \$100 of the assessed value thereof.

3. Section 3—Public Service Corporation Property

- (a) On that portion of the real estate and tangible personal property of public service corporations which has been equalized as provided in Sec. 58.1-2604 of the Virginia Code, the tax rate shall be \$0.98 on every \$100 of the assessed value thereof determined by the Virginia State Corporation Commission or Virginia Department of Taxation (for railroads and interstate pipeline transmission companies), and

(b) Notwithstanding the foregoing, on automobiles and trucks belonging to public service corporations, the tax rate shall be \$4.40 on every \$100 of the assessed value thereof.

4. Section 4—Machinery and Tools

On machinery and tools used in a manufacturing or mining business (excluding intangible personal property), the tax rate shall be \$4.40 on every \$100 of the assessed value thereof.

5. Section 5—Energy Efficient Buildings

On energy efficient buildings the tax rate shall be \$0.49 on every \$100 of the assessed value thereof, subject to the limitations set forth within Chapter 30, Article V, Division 4 of the Code of the City of Charlottesville (1990), as amended, and applies only to buildings and not to the land on which such buildings are located.

BE IT FURTHER ORDAINED THAT the Ordinance adopted April 15, 2024 establishing local tax rates for the Tax Year beginning January 1, 2024 and ending on December 31, 2024 is hereby repealed, effective at midnight on January 1, 2025.

On motion by Pinkston, seconded by Oschrein, Council by unanimous consent adjourned the meeting at 6:01 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date: May 5, 2025

Action Required: Review and approval of three (3) related items:

1. The 1-Year Annual Action Plan for the City's CDBG and HOME Programs for Program Year 2025-26
2. Funding awards for CDBG activities
3. Funding awards for HOME activities

Presenter: Anthony Warn, Grants Analyst

Staff Contacts: Anthony Warn, Grants Analyst
Alexander Ikefuna, Director, Office of Community Solutions

Title: One-year Annual Action Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for Program Year 2025-26 and Associated Funding Recommendations (2nd readings)

Background

The City of Charlottesville, Virginia ("City"), is an Entitlement Community ("EC") as designated by the U.S. Department of Housing & Urban Development ("HUD") and, as such, is the recipient of annual allocations of federal funds through the Community Development Block Grants ("CDBG") and the HOME Investment Partnerships Programs. The City is required to submit for review to HUD a locally approved Annual Action Plan ("AAP") outlining steps the City will take through the use of these funds to meet HUD's national objectives.

As of April 17, 2025, the City had not yet received any indication from HUD regarding funds to be made available for the 2025-26 program year. Consequently, and in accordance with HUD guidance, the funding award recommendations presented here for consideration are based on funds previously allocated to the city by HUD for the 2024-25 program year (PY24), with final award amounts to be prorated upon receipt of notification from HUD of actual funding for 2025-26 CDBG and/or HOME activities.

Discussion

For program year 2025-26, the CDBG/HOME Taskforce reviewed a total of fourteen (14) applications in this funding round, eleven (11) requests for funding through the CDBG program (totaling \$604,736) and three (3) requesting HOME funding (totaling \$409,188).

It should be noted here that the largest number of applications received for the CDBG Program fall

under what HUD classifies as "Public Services" Programs (requests totaling approximately \$399,236). For some years now, HUD policy institutes what is known as a "spending cap" that limits localities from awarding more than fifteen percent (15%) of their annual CDBG allocation to these types of Programs. For the current Program Year 2024-25, that limit was \$65,792.55. Based on the applications received to date, the Public Services category alone represents a shortfall in anticipated funding available of approximately \$333,443.45.

At this time, the City has not been made aware of any funding decisions by HUD for the 2025-26 Program Year. This poses a significant challenge for the work of the CDBG/HOME Taskforce. So as to be best positioned to act quickly if/when HUD announces PY25 funding allocations, the Taskforce decided to continue the practice adopted last year of establishing funding recommendations based on the allocations received from HUD for the 2024-25 Program Year. And, again, similarly to last year, the recommendations will be calculated to the most precise decimal value possible. This will be used to calculate final dollar values for the slate of funding recommendations when allocations are announced by HUD and the White House.

In conclusion, while CDBG/HOME Taskforce members would have liked to have been in the position of being able to fund each applicant in full, the funding recommendations outlined in the proposed AAP represent the Taskforce's best efforts to invest the limited funds available to them, to maximize the positive impacts for our community and those residents at the heart of this work.

All public comments received during the Public Hearings and/or the Public Comment period ending May 15, 2025, will be incorporated into the AAP. Two (2) Public Hearings have been scheduled before City Council (one (1) on Monday, April 21, 2025, and one (1) on Monday, May 5, 2025), and one (1) Public Hearing before the Commissioners of the Thomas Jefferson Planning District Commission ("TJPDC") on Thursday, May 1, 2025, at TJPDC's Water Street Center.

Alignment with City Council's Vision and Strategic Plan

The proposed Action Plan was developed to closely align with and support the City Council's vision of the City as a community in which everyone has the opportunity to thrive. Specifically, activities have been carefully selected to support progress in several areas highlighted in City Council's Strategic Vision, including Climate Action, Economic Prosperity, Housing, Education & Partnerships.

Community Engagement

This proposal conforms with the City's Citizen Participation Plan and has been presented to the public through multiple Public Hearings, including Public Hearings before the City's Planning Commission ("PC"), City Council, and the Commissioners of the Thomas Jefferson Planning District Commission ("TJPDC").

HUD regulations require that participants in HUD's CDBG and HOME Programs develop and submit for review by HUD locally approved Annual Action Plans ("AAP") that outline activities to be supported by funds allocated by HUD to meet the goals established in a five (5)-Year Consolidated Plan.

Such plans are required to be presented before the general public, with opportunities for public comment. A thirty (30)-day public comment period is currently underway through May 15, 2025 (learn more at <https://tjpd.org/public-comment-py-2025-annual-action-plan/>). A Public Hearing was held

before the City's PC on Tuesday, April 8, 2025, during which the PC provided valuable input and suggestions for technical assistance to potential applicants during the mandatory pre-application workshops. After the Public Hearing, the PC voted to forward the draft Action Plan and associated funding recommendations for consideration by City Council (all in favor; 1 abstention).

Budgetary Impact

As the funds proposed to be awarded are federal funds allocated to the City by HUD to support community-benefit activities, and, as such, do not draw from the City's General Fund, no adverse impacts to the City's Budget are anticipated. Rather, use of these funds as recommended here will instead serve to address an important and pressing community need(s), while at the same time supporting the City's eligibility for allocations of entitlement funds in future years. On a related note, and as of the time of this Report, City Staff has not received from HUD guidance from HUD as to how the policies of the new Presidential Administration might affect the City, especially regarding possible financial implications.

Recommendation

Recommendation #1: Approval of the AAP:

Based on the anticipated benefits of the current proposal to the City, specifically in that the activities presented herein directly address important needs within our community, City Staff recommends that City Council approve the Program Year 2025-26 AAP as presented herein, and authorize City and TJPDC Staff to transmit the locally approved plan to HUD for final review and approval, with the suggested motion:

"I move that City Council approve the attached RESOLUTION approving the City's Program Year 2025-26 One (1)-Year AAP for the City's CDBG & HOME Programs."

Recommendation #2: Approval of Funding Awards (CDBG):

City Staff also recommends that City Council approve the funding recommendations of the CDBG/HOME Taskforce for the award of CDBG funds and appropriate associated funds within the City's CDBG Fund with the suggested motion:

"I move that City Council also approve the attached RESOLUTION appropriating CDBG Block Grant funds anticipated to be received from HUD as outlined in the Program Year 2025-26 One (1)-Year AAP, in the approximate amount of \$438,617."

Recommendation #3: Approval of Funding Awards (HOME):

Finally, City Staff also recommends that City Council approve the funding recommendations of the CDBG/HOME Taskforce for the award of anticipated HOME funds with the suggested motion:

"Finally, I move that City Council approve the attached RESOLUTION approving the award of HOME Investment Partnership Program funds anticipated to be received from HUD as outlined in the Program Year 2025-26 One (1)- Year AAP, in the approximate amount of \$83,016."

Alternatives

Given that these funds are provided by HUD to the City for the execution of meaningful community-benefit programs and, as such, are not drawn from the City's General Fund, no alternative courses of action are considered. City Council, could, of course, decide not to provide approval for this proposal and could instead direct City Staff to explore other options for expending these funds consistent with HUD's programmatic requirements.

Attachments

1. City Council Priorities PY25 CDBG & HOME (#R-24-115), adopted Sept. 3, 2024
2. HUD Annual Action Plan PY25 Resolution to Approve
3. HUD Annual Action Plan PY25 Resolution to Approve Funding Awards CDBG
4. HUD Annual Action Plan PY25 Resolution to Approve Funding Awards HOME
5. HUD Annual Action Plan PY25 City Council Slide Deck*

**Resolution to Establish Council Priorities for the Program Year 2025-2026
Community Development Block Grant (CDBG) &
HOME Investment Partnerships (HOME) Programs**

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

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

WHEREAS in accordance with the City of Charlottesville's HUD-approved Citizen Participation Plan, the city's CDBG/HOME Task Force composed of residents and community representatives will be called on to review requests for funding of potential CDBG & HOME projects and to make recommendations for funding to Council in the Spring of 2025; now

THEREFORE BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the Program Year 2025-2026 CDBG & HOME programs (PY25) shall prioritize to the degree possible:

- A continued emphasis on expanding access to affordable housing opportunities, including but not limited to low-income housing redevelopment; workforce development, including but not limited to efforts to bolster Section 3 training opportunities other economic development activities; microenterprise assistance; access to quality childcare; homeowner rehabilitation and energy-efficiency upgrades; down payment assistance; and improvements to public infrastructure designed to eliminate or reduce barriers to access to public amenities for mobility-impaired residents
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Economic Development activities
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Public Facilities and Improvement activities, with a special emphasis on activities that will eliminate or reduce barriers to access for mobility-impaired residents
- The CDBG Admin and Planning budget shall be set at 20% of the City's CDBG allocation
- Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent

RESOLUTION

Resolution Approving the City of Charlottesville-Thomas Jefferson Area HOME Consortium One-Year Annual Action Plan for Program Year 2025-26

WHEREAS the City of Charlottesville is a designated Entitlement Community by the United States Department of Housing and Urban Development (“HUD”), and as such is a recipient of federal funds through the Community Development Block Grant (CDBG) and Home Investment Partnerships (“HOME”) programs, and

WHEREAS the City of Charlottesville is a contributing member of the Thomas Jefferson HOME Consortium (“TJHC”) in partnership with the counties of Albemarle, Fluvanna, Greene, Louisa and Nelson, and through the Consortium shares in the benefits of participation in HUD’s HOME program,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlottesville, Virginia, hereby approves the Charlottesville-Thomas Jefferson HOME Consortium One-Year Annual Action Plan and its submittal to HUD for final review, as presented at a public hearing before the city’s Planning Commission (on 8 April 2025) and at two public hearings before City Council (on 21 April and 5 May 2025).

Approved by Council
May 5, 2025

Kyna Thomas, CMC
Clerk of Council

APPROPRIATION

Appropriation of Community Development Block Grant (“CDBG”) Funds Anticipated from the U.S. Department of Housing and Urban Development for Program Year 2025-26, in the Approximate Amount \$438,617

WHEREAS the City of Charlottesville has been advised by the U.S. Department of Housing and Urban Development (“HUD”) is eligible to receive an anticipated Community Development Block Grant (“CDBG”) allocation for the 2025-26 program year, in the approximate amount of \$438,617; and

WHEREAS City Council has received recommendations for the expenditure of funds from the city’s CDBG/HOME Taskforce, as reviewed and approved by the City’s Planning Commission at a public hearing on April 8, 2025, as provided by law;

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

Economic Development Activities

<i>Fund</i>	<i>Account/Internal Order #</i>	<i>Funding Recommendation</i>	<i>Revised Award</i>
218	1900593	CIC Entrepreneur Programs	\$25,000.00
218	1900594	LVCA Beginning Workforce Development	\$50,000.00

Subtotal, Economic Development: \$75,000.00

Public Facilities & Infrastructure Enhancements

<i>Fund</i>	<i>Account/Internal Order #</i>	<i>Funding Recommendation</i>	<i>Revised Award</i>
218	1900595	Arc of the Piedmont Shower Replacement at Shamrock Group Home	\$20,500.00

Subtotal, Public Facilities & Infrastructure: \$20,500.00

Affordable Housing Activities

<i>Fund</i>	<i>Account/Internal Order #</i>	<i>Funding Recommendation</i>	<i>Revised Award</i>
218	1900592	AHIP Charlottesville Critical Home Rehabs	\$140,000.00

Subtotal, Affordable Housing: \$140,000.00

Public Services Activities

<i>Fund</i>	<i>Account/Internal Order #</i>	<i>Funding Recommendation</i>	<i>Revised Award</i>
218	1900596	PHA Financial Opportunity Center (FOC) Credit Club	\$21,342.00
218	1900597	PHAR Resident-Involved Redevelopment	\$22,618.55

218	1900598	The Haven Coordination of Community Service Providers	\$21,832.00
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Subtotal, Public Services: \$65,792.55

Programmatic Funds

<i>Fund</i>	<i>Account/Internal Order #</i>	<i>Funding Recommendation</i>	<i>Revised Award</i>
218	3914001000	CDBG Planning & Admin	\$87,723.40
218	3914001000	Unallocated Reserve	\$49,601.05

Subtotal, Programmatic Funds: \$137,324.45

Total PY25 Funding Recommendations: \$438,617.00

In the event that funding received from the U.S. Department of Housing and Urban Development differs from the amounts referenced above, all appropriated amounts may be administratively increased/reduced at the same prorated percentage of change to actual funding received. No subrecipient's grant may be increased above their initial funding request without further consideration by Council.

BE IT FURTHER RESOLVED that this appropriation is conditioned upon the receipt of not less than \$438,617 in CDBG funds from the U.S. Department of Housing and Urban Development for program year 2025-26, and all subrecipient awards are also conditioned upon receipt of such funds.

BE IT FURTHER RESOLVED that any unspent funds available after the approved activity is completed and closed out with HUD will hereby be returned to the unallocated lump sum account within Fund 218 to be reallocated to suitable new activities by Council at a later date.

FINALLY, BE IT FURTHER RESOLVED that the funding award appropriated within this resolution will be provided as a grant to a private non-profit, charitable organization ("subrecipient") and shall be utilized by the subrecipient solely for the purpose(s) stated within their approved Scope of Work. The City Manager is hereby authorized to enter into a funding agreement with the subrecipient named herein as deemed advisable to ensure that all grant funds are expended for their intended purposes and in accordance with applicable federal and state laws and regulations.

Approved by Council
May 5, 2025

Kyna Thomas, CMC
Clerk of Council

RESOLUTION

Approval of HOME Investment Partnership Program Activity with Funds Anticipated from the U.S. Department of Housing and Urban Development for Program Year 2025-26, in the Approximate Amount of \$83,016

WHEREAS the City of Charlottesville ("City") has been advised by the U.S. Department of Housing and Urban Development ("HUD") that the region served by the Thomas Jefferson HOME Consortium ("TJHC") is eligible to receive a HOME Investment Partnerships program ("HOME") allocation for the 2025-26 program year, in the approximate amount of \$651,111, of which the City is eligible to receive approximately \$83,016 to support local affordable housing ("AH") initiatives; and

WHEREAS City Council has received recommendations for the expenditure of the anticipated funds from the city's CDBG/HOME Taskforce, as reviewed and approved by the City's Planning Commission at a public hearing on May 8, 2025, as provided by law; and

WHEREAS the City of Charlottesville had in prior years appropriated local funds from the CAHF to meet HUD's 25% local match funds requirement on behalf of the members of the Thomas Jefferson HOME Consortium, the City will now certify with HUD certain CAHF-funded projects in the current program year to meet the local match funds requirement, as established through the 2025 Cooperation Agreement established between Charlottesville & Thomas Jefferson Planning District Commission ("TJPDC"), thereby significantly reducing the administrative burden on staff from both parties;

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, that upon receipt of this anticipated HOME funding from the U.S. Department of Housing and Urban Development, that the following HOME-funded affordable housing activity is approved:

PY	Subrecipient	Funded Activity	Proposed Award
PY25	Piedmont Housing Alliance	905 Rives St. Townhomes AH	\$83,016.66

BE IT FURTHER RESOLVED that this appropriation of subrecipient award funds is conditioned upon the receipt by the City of not less than \$83,016.66 in HOME funds as the city's local share of HOME funds received by the Thomas Jefferson HOME Consortium from the U.S. Department of Housing and Urban Development for Program Year 2025-26.

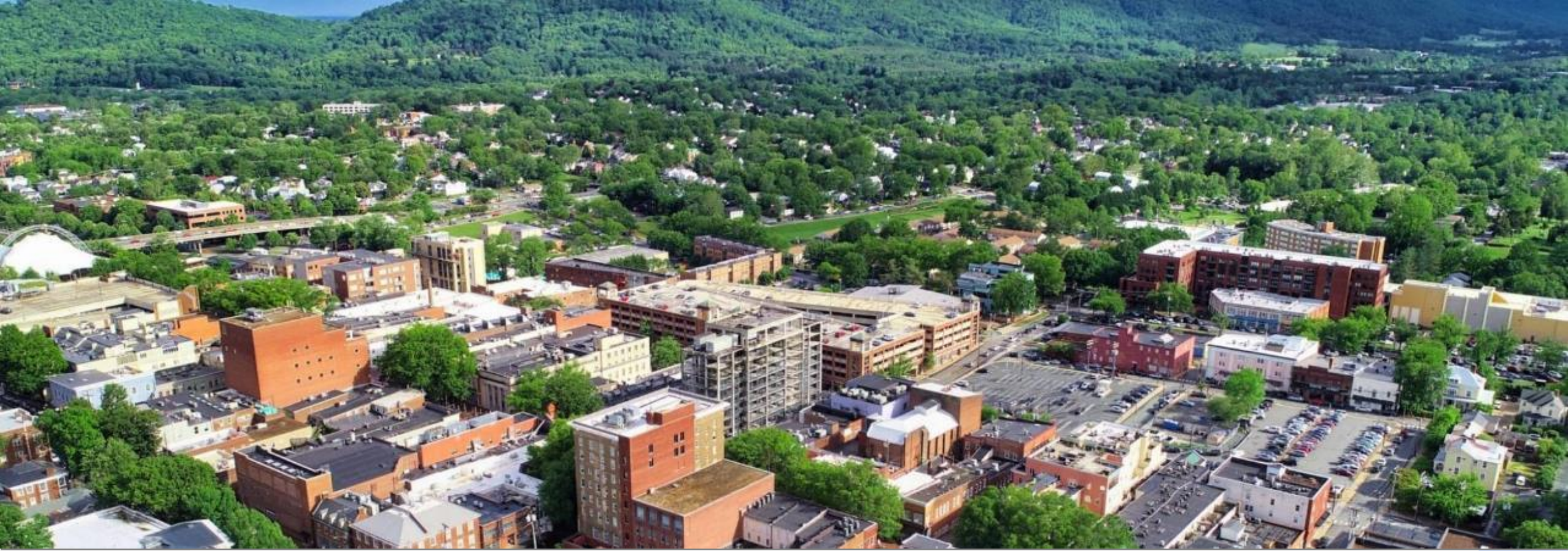
If funding received from the U.S. Department of Housing and Urban Development for Program Year 2025-26 differs from the amounts referenced above, all appropriated amounts may be administratively increased/reduced at the same prorated percentage of change to actual funding received. No subrecipient's funding award may be increased above their initial funding request without further consideration by Council.

FINALLY, BE IT FURTHER RESOLVED that the funding award appropriated within this resolution will be provided as a grant to a private non-profit, charitable organization

("subrecipient") and shall be utilized by the subrecipient solely for the purpose(s) stated within their approved agreement, as approved by TJPDC staff in accordance with the 2024 Charlottesville/TJPDC Cooperation Agreement. The City Manager is hereby authorized to enter into a funding agreement with the subrecipient named herein as deemed advisable to ensure that all grant funds are expended for their intended purposes and in accordance with applicable federal and state laws and regulations.

Approved by Council
May 5, 2025

Kyna Thomas, CMC
Clerk of Council



City of Charlottesville

CDBG & HOME Programs

Program Year 2025-2026

City Council Public Hearing
Monday, April 21, 2025

Staff Contact:
Anthony Warn, Grants Analyst
Office of Community Solutions
warna@charlottesville.gov



HUD National Objectives

The authorizing statute of the HUD-funded programs requires that each activity funded (except for program administration and planning activities) meet one of HUD's three national objectives:

- **Benefit to low-and moderate-income (LMI) persons;**
- **Aid in the prevention or elimination of slums or blight; and**
- **Meet a need having a particular urgency (referred to as urgent need)**

- HUD national objectives are guided by three primary principles:
 - Establish and maintain thriving living environments through activities designed to benefit families, individuals, and the greater Charlottesville community
 - Create economic opportunities through activities related to economic development, commercial revitalization, or job creation
 - Provide decent housing through activities focusing on housing programs where the purpose of the activity meets individual, family, or community needs

Appendix B NATIONAL OBJECTIVE CODES		
The national objective codes (NOCs) are listed below with descriptions and applicable CFR citations. The NOCs that may be used with each matrix code are identified in Appendix C.		
NOC	Description	24 CFR Citation
LMA	Low/mod area benefit Activities providing benefits that are available to all the residents of a particular area, at least 51% of whom are low/mod income. The service area of an LMA activity is identified by the grantee, and need not coincide with Census tracts or other officially recognized boundaries.	570.208(a)(1)
LMAFI	Low/mod area benefit, community development financial institution (CDFI) Job creation and retention activities that are carried out by a CDFI and that the grantee elects to consider as meeting the low/mod area benefit criteria.	570.208(d)(6)(i)
LMASA	Low/mod area benefit, neighborhood revitalization strategy area (NRSA) Job creation and retention activities that are carried out pursuant to a HUD-approved Neighborhood Revitalization Strategy (NRS) and that the grantee elects to consider as meeting the low/mod area benefit criteria.	570.208(d)(5)(i)
LMC	Low/mod limited clientele benefit Activities that benefit a limited clientele, at least 51% of whom are low/mod income. LMC activities provide benefits to a specific group of persons rather than to all the residents of a particular area.	570.208(a)(2)
LMCMC	Low/mod limited clientele, micro-enterprises Activities carried out under 24 CFR 570.201(o) that benefit micro-enterprise owners/developers who are low/mod income.	570.208(a)(2)(iii)
LMCSV	Low/mod limited clientele, job service benefit Activities that provide job training, placement and/or employment support services in which the percentage of low/mod persons assisted is less than 51%, but the proportion of the total cost paid by CDBG does not exceed the proportion of the total number of persons assisted who are low/mod.	570.208(a)(2)(iv)
LMH	Low/mod housing benefit Activities undertaken to provide or improve permanent residential structures that will be occupied by low/mod income households.	570.208(a)(3)

Available online at www.hudexchange.info/resource/2555/national-objective-code-descriptions/



City Council Priorities

With the goal of fostering a high degree of responsiveness to local needs, City Council each year establishes a set of local priorities for the CDBG program

Council priorities are discussed at open public meetings and published as a formal resolution each year



- For the upcoming program year 2024-25, City Council has established the following priorities in Resolution #R-23-121
- Council resolutions can be found in the city's Laserfiche Archive online at:
<https://weblink.charlottesville.org/public/browse.aspx?dbid=0>
- You can also email me for a copy

Resolution to Establish Council Priorities for the Program Year 2025-2026 Community Development Block Grant (CDBG) & HOME Investment Partnerships (HOME) Programs

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

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

WHEREAS in accordance with the City of Charlottesville's HUD-approved Citizen Participation Plan, the city's CDBG/HOME Task Force composed of residents and community representatives will be called on to review requests for funding of potential CDBG & HOME projects and to make recommendations for funding to Council in the Spring of 2025; now

THEREFORE BE IT RESOLVED by the City Council of Charlottesville, Virginia, that the Program Year 2025-2026 CDBG & HOME programs (PY25) shall prioritize to the degree possible:

- A continued emphasis on expanding access to affordable housing opportunities, including but not limited to low-income housing redevelopment; workforce development, including but not limited to efforts to bolster Section 3 training opportunities other economic development activities; microenterprise assistance; access to quality childcare; homeowner rehabilitation and energy-efficiency upgrades; down payment assistance; and improvements to public infrastructure designed to eliminate or reduce barriers to access to public amenities for mobility-impaired residents
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Economic Development activities
- For program year 2025-2026, \$89,896.51 of CDBG Entitlement funds shall be set aside to support Public Facilities and Improvement activities, with a special emphasis on activities that will eliminate or reduce barriers to access for mobility-impaired residents
- The CDBG Admin and Planning budget shall be set at 20% of the City's CDBG allocation
- Any other guidelines or directions Council may wish to give in determining how CDBG and HOME funds should be spent

	<u>Aye</u>	<u>No</u>
Oschrin	x	_____
Payne	x	_____
Pinkston	x	_____
Snook	x	_____
Wade	x	_____

Approved by Council
September 3, 2024

Kyna Thomas

Kyna Thomas, MMC
Clerk of Council

CDBG Eligible Activities

HUD's authorizing statutes require that CDBG-funded activities meet the definition of specific eligible activities, each of which is referred to by a specific 'matrix code'

- Matrix codes for eligible activities under CDBG fall into specific categories
- Charlottesville focuses it's CDBG funds on four of these categories:
 - Economic Development
 - Public Facilities & Infrastructure
 - Public Services
 - Housing
- HUD caps funding for Public Services activities at 15% of the total allocation for a given year

Appendix A CDBG MATRIX CODES

CDBG Matrix Codes by Category

Matrix codes are listed here by category so you can quickly review the available choices.

Acquisition, Disposition, Clearance, Relocation

01 Acquisition of Real Property	04A Cleanup of Contaminated Sites
02 Disposition of Real Property	08 Relocation
04 Clearance and Demolition	

Administration and Planning

20 Planning	21E Submission of Applications for Federal Programs
20A Planning (State-Administered CDBG Grantees)	21H CDBG Funding of HOME Admin
21A General Program Administration	21I CDBG Funding of HOME CHDO Operating Expenses
21B Indirect Costs	21J State Administration
21C Public Information	14H Rehab: Administration
21D Fair Housing Activities (subject to Admin cap)	

Economic Development

14E Rehab: Publicly or Privately Owned Commercial/Industrial (CI)	17D CI: Other Improvements
17A CI: Acquisition/Disposition	18A ED: Direct Financial Assistance to For-Profits
17B CI: Infrastructure Development	18B ED: Technical Assistance
17C CI: Building Acquisition, Construction, Rehabilitation	18C ED: Micro-Enterprise Assistance

Housing

12 Construction of Housing	14G Rehab: Acquisition
13 Direct Homeownership Assistance	14H Rehab: Administration
14A Rehab: Single-Unit Residential	14I Lead-Based Paint/Lead Hazards Testing/Abatement
14B Rehab: Multi-Unit Residential	14J Housing Services
14C Rehab: Public Housing Modernization	16A Residential Historic Preservation
14D Rehab: Other Publicly Owned Residential Buildings	19E Operation/Repair of Foreclosed Property
14F Rehab: Energy Efficiency Improvements	

Public Facilities and Infrastructure Improvements

03A Senior Centers	03L Sidewalks
03B Handicapped Centers	03M Child Care Centers
03C Homeless Facilities (not operating costs)	03N Tree Planting
03D Youth Centers	03O Fire Stations/Equipment
03E Neighborhood Facilities	03P Health Facilities
03F Parks, Recreational Facilities	03Q Facilities for Abused and Neglected Children
03G Parking Facilities	03R Asbestos Removal
03H Solid Waste Disposal Improvements	03S Facilities for AIDS Patients (not operating costs)
03I Flood Drainage Improvements	03 Other Public Facilities/Improvements
03J Water/Sewer Improvements	
03K Street Improvements	

Available online at
www.hudexchange.info/resource/89/community-development-block-grant-program-cdbg-guide-to-national-objectives-and-eligible-activities-for-entitlement-communities/



HOME Eligible Activities

HUD's authorizing statutes require that CDBG-funded activities meet the definition of specific eligible activities, each of which is referred to by a specific 'matrix code'



HOME has four main eligible activities:

- Homeowner (owner-occupied) rehabilitation
- Rental housing acquisition, new construction, or rehabilitation
- Homebuyer housing acquisition, new construction, or rehabilitation, including direct assistance to eligible homebuyers to purchase the housing
- Tenant-based rental assistance (rental subsidy)

24 CFR 92.205 (up to date as of 4/03/2025)
Eligible activities: General.

24 CFR 92.205 (Apr. 3, 2025)

This content is from the eCFR and is authoritative but unofficial.

Title 24 — Housing and Urban Development
Subtitle A — Office of the Secretary, Department of Housing and Urban Development
Part 92 — Home Investment Partnerships Program
Subpart E — Program Requirements
Eligible and Prohibited Activities
Authority: 42 U.S.C. 3535(d) and 12701 – 12839, 12 U.S.C. 1701x.
Source: 61 FR 48750, Sept. 10, 1996, unless otherwise noted.

§ 92.205 Eligible activities: General.

Link to an amendment published at 90 FR 867, Jan. 6, 2025.

This amendment was delayed until April 20, 2025, at 90 FR 8780, Feb. 3, 2025.

(a) Eligible activities.

(1) HOME funds may be used by a participating jurisdiction to provide incentives to develop and support affordable rental housing and homeownership affordability through the acquisition (including assistance to homebuyers), new construction, reconstruction, or rehabilitation of nonluxury housing with suitable amenities, including real property acquisition, site improvements, conversion, demolition, and other expenses, including financing costs, relocation expenses of any displaced persons, families, businesses, or organizations; to provide tenant-based rental assistance, including security deposits; to provide payment of reasonable administrative and planning costs; and to provide for the payment of operating expenses of community housing development organizations. The housing must be permanent or transitional housing. The specific eligible costs for these activities are set forth in §§ 92.206 through 92.209. The activities and costs are eligible only if the housing meets the property standards in § 92.251 upon project completion.

(2) Acquisition of vacant land or demolition must be undertaken only with respect to a particular housing project intended to provide affordable housing within the time frames established in paragraph (2) of the definition of "commitment" in § 92.2.

(3) Conversion of an existing structure to affordable housing is rehabilitation, unless the conversion entails adding one or more units beyond the existing walls, in which case, the project is new construction for purposes of this part.

(4) *Manufactured housing.* HOME funds may be used to purchase and/or rehabilitate a manufactured housing unit, or purchase the land upon which a manufactured housing unit is located. Except for existing, owner-occupied manufactured housing that is rehabilitated with HOME funds, the manufactured housing unit must, at the time of project completion, be connected to permanent utility hook-ups and be located on land that is owned by the manufactured housing unit owner or

Available online at
<https://www.ecfr.gov/current/title-24/subtitle-A/part-92/subpart-E/subject-group-ECFRf448ea7bbdfb69a?toc=1>

Overview of Funding Request Received for PY25

*Summary of PY25
applications received for
program year 2025-26*



SUMMARY OF CDBG & HOME REQUESTS FOR FUNDING PY25

Anticipated PY25 Funding from HUD*

Anticipated PY25 for CDBG	\$ 438,617.00
Anticipated PY25 for HOME	\$ 83,016.66

Subtotal Available to Commit: \$521,633.66

Actual

Programmatic Funding & Setasides

CDBG Planning & Admin	\$ 87,723.40
Public Services Cap @ 15%	\$ 65,792.55
Council Priority: Public Facilities & Imprv.	\$ 89,896.51
Council Priority: Economic Dev.	\$ 89,896.51
HOME Program Local Match @ 25% (CAHF)*	\$ 20,754.17

CDBG Economic Development

Request \$

CIC Entrepreneur Programs	\$ 25,000
LVCA Beginning Workforce Development	\$ 50,000

Subtotal CDBG requests, Econ Dev: \$75,000

CDBG Public Facilities & Infrastructure Improvements

Request \$

Arc of the Piedmont Shower Replacement at Shamrock Group Home	\$ 20,500
---	-----------

Subtotal CDBG requests, Public Facilities: \$20,500

CDBG Public Service Programs

Request \$

CRHA Economic Opportunity Program (Phase II)	\$ 90,600
CRHA Eviction Diversion Program	\$ 50,000
IRC Charlottesville Financial Capabilities	\$ 46,636
PACEM Shelter Transportation	\$ 60,000
PHA Financial Opportunity Center (FOC) Credit Club	\$ 30,000
PHAR Resident-Involved Redevelopment	\$ 42,000
The Haven Coordination of Community Service Providers	\$ 50,000

Subtotal CDBG requests, Public Services: \$369,236

CDBG Affordable Housing

Request \$

AHIP Charlottesville Critical Home Rehab	\$ 140,000
--	------------

Subtotal CDBG requests, Affordable Housing: \$140,000

HOME Investment Partnerships

Request \$

CRHA 5th Street AH	\$ 144,500
CRHA Downtown AH	\$ 175,000
PHA 905 Rives St. Townhomes AH	\$ 89,688

Subtotal requests HOME: \$409,188

* Estimated based on PY24 HUD allocations

** revised 3/31 based on HUD
guidance

Draft Funding Recommendations PY25

Draft funding recommendations from the CDBG/HOME Taskforce for program year 2025-26, based on the amounts allocated for program year 2024-25



SUMMARY OF CDBG & HOME REQUESTS FOR FUNDING PY25 **INITIAL**

Anticipated PY25 Funding from HUD*

Anticipated PY25 for CDBG	\$ 438,617.00
Anticipated PY25 for HOME	\$ 83,016.66
Subtotal Available to Commit: \$521,633.66	

Programmatic Funding & Setasides

CDBG Planning & Admin	\$ 87,723.40
Public Services Cap @ 15%	\$ 65,792.55
Council Priority: Public Facilities & Imprv.	\$ 89,896.51
Council Priority: Economic Dev.	\$ 89,896.51
HOME Program Local Match @ 25% (CAHF)*	\$ 20,754.17

CDBG Economic Development	Recommendation \$	%	decimal
CIC Entrepreneur Programs	\$ 25,000.00	5.70%	0.05699733
LVCA Beginning Workforce Development	\$ 50,000.00	11.40%	0.11399467
Subtotal CDBG recommendations, Econ Dev:		\$75,000	

CDBG Public Facilities & Infrastructure Improvements	Recommendation \$	%	decimal
Arc of the Piedmont Shower Replacement at Shamrock Group Home	\$ 20,500.0	4.67%	0.04673781
Subtotal CDBG recommendations, Public Facilities:		\$20,500	

CDBG Public Services Activities	Recommendation \$	%	decimal
CRHA Economic Opportunity Program (Phase II)	\$ -	0.00%	-
CRHA Eviction Diversion Program	\$ -	0.00%	-
IRC Charlottesville Financial Capabilities	\$ -	0.00%	-
PACEM Shelter Transportation	\$ -	0.00%	-
PHA Financial Opportunity Center (FOC) Credit Club	\$ 21,342.00	4.87%	0.04865748
PHAR Resident-Involved Redevelopment	\$ 22,618.55	5.16%	0.05156788
The Haven Coordination of Community Service Providers	\$ 21,832.00	4.98%	0.04977463
Subtotal CDBG recommendations, Public Services:		\$65,793	

CDBG Affordable Housing	Recommendation \$	%	decimal
AHIP Charlottesville Critical Home Rehab	\$ 140,000.0	31.92%	0.31918507
Subtotal CDBG recommendations, Affordable Housing:		\$140,000	

HOME Investment Partnerships	Recommendation \$	%	decimal
CRHA 5th Street AH	\$ -	0.00%	-
CRHA Downtown AH	\$ -	0.00%	-
PHA 905 Rives St. Townhomes AH	\$ 83,016.7	100.00%	1.00000000
Subtotal recommendations HOME:		\$83,017	

* Estimated based on PY24 HUD allocations

Draft / Proposed

Draft Funding Recommendations Scenario PY25

Projected funding recommendations for program year 2025-26 based on actual funding allocations from HUD below that awarded in previous 2024-25 program year



CDBG & HOME REQUESTS FOR FUNDING PY25 (BY DECIMAL - ESTIMATED)

Recommended by CDBG/HOME Taskforce: Tuesday, April 1, 2025

Taskforce Chair: Phil d'Oronzio Vice-Chair: Syleethia Carr

Actual PY25 Funding from HUD*

Actual PY25 for CDBG	\$ 300,000.00
Actual PY25 for HOME	\$ 83,016.66

Subtotal Available to Commit: \$383,016.66

Programmatic Funding & Setasides

CDBG Planning & Admin	\$ 60,000.00
Public Services Cap @ 15%	\$ 45,000.00
Council Priority: Public Facilities & Imprv.	\$ 89,896.51
Council Priority: Economic Dev.	\$ 89,896.51
HOME Program Local Match @ 25% (CAHF)*	\$ 20,754.17

CDBG Economic Development

	Recommendation \$	decimal
CIC Entrepreneur Programs	\$ 17,099.2	0.05699733
LVCA Beginning Workforce Development	\$ 34,198.4	0.11399467

Subtotal CDBG recommendations, Econ Dev: \$51,298

CDBG Public Facilities & Infrastructure Improvements

	Recommendation \$	decimal
Arc of the Piedmont Shower Replacement at Shamrock Group Home	\$ 14,021.3	0.04673781

Subtotal CDBG recommendations, Public Facilities: \$14,021

CDBG Public Service Programs

	Recommendation \$	decimal
CRHA Economic Opportunity Program (Phase II)	\$ -	-
CRHA Eviction Diversion Program	\$ -	-
IRC Charlottesville Financial Capabilities	\$ -	-
PACEM Shelter Transportation	\$ -	-
PHA Financial Opportunity Center (FOC) Credit Club	\$ 14,597.25	0.04865748
PHAR Resident-Involved Redevelopment	\$ 15,470.36	0.05156788
The Haven Coordination of Community Service Providers	\$ 14,932.39	0.04977463

Subtotal CDBG recommendations, Public Services: \$45,000

CDBG Affordable Housing

	Recommendation \$	decimal
AHIP Charlottesville Critical Home Rehab	\$ 95,755.52	0.31918507

Subtotal CDBG recommendations, Affordable Housing: \$95,756

HOME Investment Partnerships

	Recommendation \$	decimal
CRHA 5th Street AH	\$ -	-
CRHA Downtown AH	\$ -	-
PHA 905 Rives St. Townhomes AH	\$ 83,016.66	1.00000000

Subtotal requests HOME: \$83,017

* Estimated based on hypothetical HUD allocations

** Final funding amounts to be calculated upon receipt of official notice from HUD

Financial Modelling Scenario #1:

Proposed awards if HUD funding for PY25 CDBG activities reduced to \$300,000

Thank You for your interest in the City of Charlottesville's CDBG & HOME programs!

For more information, please visit the city's CDBG & HOME webpage at <https://www.charlottesville.gov/678/CDBG-HOME-Programs>

Please also feel free to email Anthony at warna@charlottesville.gov and Taylor at harveyryant@charlottesville.gov



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



Agenda Date:	May 5, 2025
Action Required:	Approve as written
Presenter:	Misty Graves, Director of Human Services
Staff Contacts:	Hunter Smith, Human Services Planner
Title:	Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY25 - \$123,600 (1 of 2 readings)

Background

Issue: The Virginia Department of Criminal Justice Services ("VDCJS") has awarded the City's Department of Human Services ("DHS") \$123,600 from its Victims of Crime Act Program to provide trauma-focused, evidence-informed case management, and clinical services. DHS has received similar awards since 2019. This is a new award that follows the same programmatic structure and operates in the same format as previous award cycles.

Discussion

Background/Rule: The City's DHS' Evergreen Program increases access to trauma-informed intervention for victims within schools, as well as low-wealth neighborhoods, expands access to mental health services for victims, and supports behavioral interventionist positions serving victims of crime. Funds will be used to hire school-based interventionists, who will provide trauma and need assessments, service planning and delivery, coordination with other providers, and case management for up to thirty (30) child victims each year. The school-based interventionist serves students at Buford Middle School. The FY25 award does include a twenty percent (20%) match of \$30,900, which is included in the DHS Budget.

Alignment with City Council's Vision and Strategic Plan

The item aligns with the strategic outcome areas of Education and Partnerships of the City Council's strategic plan.

Community Engagement

This Program meets the City's Strategic Outcome Areas of Education and Public Safety.

Budgetary Impact

DHS has been receiving grant funds for this Program from the Department of Criminal Justice Services since 2019. The award period for this continuation covers eligible expenses incurred from

July 1, 2024 , to June 30, 2025. This Grant requires a cash match of twenty percent (20%), which is \$30,900, which is included in the DHS Budget.

Recommendation

City Staff recommends appropriating the funds as written.

Alternatives

There are no alternatives. This Program could not operate without appropriation of these funds.

Attachments

1. FY25 VOCA Resolution to Appropriate

RESOLUTION
Appropriation of Charlottesville Student Victim Outreach Program Department of
Criminal Justice Services Victim of Crimes Act Grant
\$123,600

WHEREAS, the City of Charlottesville has been awarded \$123,600 from the Department of Criminal Justice Services;

WHEREAS, this award requires a 20% match in the amount of \$30,900;

WHEREAS, the funds will be used to support Evergreen, a program operated by the Department of Human Services. The grant award covers the period from July 1, 2024 through June 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$123,600 is hereby appropriated in the following manner:

Revenue – \$154,500

\$123,600	Fund: 209	Cost Center: 3413018000	GL Account: 430120
\$ 30,900	Fund: 209	Cost Center: 3413018000	GL Account: 498010

Expenditures - \$154,500

\$148,140	Fund: 209	Cost Center: 3413018000	GL Account: 519999
\$ 6,360	Fund: 209	Cost Center: 3413018000	GL Account: 599999

Transfer From

\$30,900	Fund: 213	Cost Center: 3413003000	GL Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$123,600 from the Department of Criminal Justice Services.

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



Agenda Date:	May 5, 2025
Action Required:	Approval of Appropriation for \$150,000 from Virginia Department of Criminal Justice Services Operation Ceasefire Grant - Local Law Enforcement.
Presenter:	Holly Bittle, Budget and Management Analyst, Michael Kochis, Police Chief
Staff Contacts:	Holly Bittle, Budget and Management Analyst
Title:	Resolution to appropriate \$150,000 from the Virginia Department of Criminal Justice Services Operation Ceasefire Grant Program (1 of 2 readings)

Background

The Virginia Department of Criminal Justice Services' ("DCJS") Virginia Operation Ceasefire Grant Program ("Program") for Forensic and Analytical Technology for Local Law Enforcement initiative is to support the use of technology that will result in reducing violent crime within the Commonwealth, while implementing effective and sustainable solutions to intercept and eliminate local cycles of violence. Projects funded under this Program support local initiatives to fight violent crime by providing resources for law enforcement.

Discussion

The Charlottesville Police Department ("CPD") is committed to improving the quality of life of those who live, work and visit the City of Charlottesville, Virginia ("City").

If appropriated, CPD proposes using the \$150,000 in Grant funds awarded by DCJS, to procure and deploy Peregrine's Ascent and Legacy Data packages for one (1) year. This will include on-site training, system configuration, ongoing technical support, and a dedicated Deployment Strategist. Once implemented, it will integrate over nine (9) separate systems onto one (1) unified platform to increase operational efficiency; allow CPD to pursue real-time policing and crime data management; allow CPD Staff to develop more in-depth geospatial analytics; and automatically connect relevant case information from several different platforms.

Notification of the Award Approval was received on March 28, 2025, for reimbursement of up to \$150,000.00. The Grant period starts on July 1, 2025, and ends on June 30, 2026.

Alignment with City Council's Vision and Strategic Plan

This Project supports Goal 2 of the City's Strategic Plan, to be a Healthy and Safe City.

Community Engagement

The requested Grant funds will allow CPD Staff to increase operational efficiency to better safeguard the community.

Budgetary Impact

This has no impact on the City's General Fund. No local match is required. The funds will be expensed and reimbursed to a Grants Fund.

Recommendation

CPD Staff recommends approval and appropriation of the Grant funds.

Alternatives

If Grant funds are not appropriated, CPD will be unable to purchase and implement this type of new platform to increase operational efficiency, without funding from the City's General Fund.

Attachments

1. Resolution Virginia DCJS OCGP Grant Appropriation

**RESOLUTION APPROPRIATING FUNDS FOR
Virginia Department of Criminal Justice Services**

**FY 25 Operation Ceasefire Grant Program (OCGP) Forensic and Analytical Technology
for Local Law Enforcement**

Award #: 547779

\$150,000

WHEREAS, the Virginia Department of Criminal Justice Services awarded a grant to the Police Department, through the City of Charlottesville, through the Operation Ceasefire Grant Program: Forensic and Analytical Technology for Local Law Enforcement to procure and deploy Peregrine's Ascent and Legacy Data packages for one year;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of \$150,000.00 be appropriated in the following manner:

Revenues – \$150,000

\$150,000 Fund: 209 Internal Order 1900588 G/L Account: 430110

Expenditures – \$150,000

\$150,000 Fund: 209 Internal Order 1900588 G/L Account: 530060

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the reimbursement of funds or goods as supplied from the Virginia Department of Criminal Justice Services Operation Ceasefire Grant Program: Forensic and Analytical Technology for Local Law Enforcement;

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



Agenda Date:	May 5, 2025
Action Required:	Resolution Adoption
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Krisy Hammill, Director of Budget
Title:	Resolution to appropriate \$26,210.96 to the Charlottesville Albemarle Society for the Prevention of Cruelty to Animals ("CASPCA") (1 of 2 readings)

Background

On March 17, 2025, City Council authorized the execution of an Agreement for Provision of Animal Shelter Services with the CASPCA. The Agreement's term is for three (3) years and renews in March annually. The City's cost for the first year of the Agreement is \$596,219, and is to be paid over five (5) periods, in the amount of \$119,243.80 per quarter.

Discussion

The amount budgeted for the CASPCA in FY 25 was based on the rates in accordance with the old agreement. The terms of the new Agreement include a fee increase that results in a required payment that will exceed the FY 25 Budget contribution by \$26,210.96. The attached Resolution identifies and appropriates the additional funds needed to make the first payment.

Alignment with City Council's Vision and Strategic Plan

The attached Agreement aligns well with the Partnership priority of City Council's Strategic Plan.

Community Engagement

N/A

Budgetary Impact

The attached Resolution requires an appropriation of \$26,910.96, in additional funds from the City's General Fund. The additional payment will be covered using unanticipated revenues that have been received as a reimbursement of prior year's expenses.

Recommendation

Adopt attached Resolution.

Alternatives

N/A

Attachments

1. SPCA - Resolution - April 2025

Resolution to Appropriate \$26,210.96 for Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals

WHEREAS, the Council of the City of Charlottesville has authorized the execution of an new agreement for the provision of animal shelter services with the Charlottesville Albemarle Society for the Prevention of Cruelty to Animals (CASPCA);

AND WHEREAS, the amount of the first payment due in accordance with the new contract is for an amount that exceeds the original budgeted payment for CASPCA;

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$376.73 is hereby appropriated to the Charlottesville/Albemarle SPCA in the following manner:

Revenues - \$26,210.96

Fund: 105 Cost Center: 9900000000 G/L Account: 451050

Expenditures - \$26,210.96

Fund: 105 Cost Center: 9713006000 G/L Account: 540100

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



Agenda Date:	May 5, 2025
Action Required:	Appropriate funding and authorize City Manager to execute Statement of Grant Award (SOGA)
Presenter:	Leslie Burns, April Wimberley, Assistant City Attorney
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate \$20,000 in Virginia Department of Criminal Justice Services - Children's Justice Act One-Time Grant Program funds (1 of 2 readings)

Background

The City of Charlottesville applied for and was awarded \$20,000 from the Virginia Department of Criminal Justice Services Children's Justice Act (CJA) One-Time Grant Program. The City of Charlottesville intends to renovate an existing conference room to create a child-friendly space within the Charlottesville- Albemarle Juvenile and Domestic Relations (JDR) courthouse.

Discussion

The JDR courthouse itself is a collaboration between the City of Charlottesville and Albemarle County, who co-own the building. The court hears all juvenile and domestic relation matters from both localities. Currently, there are approximately 175 children in the foster care system alone, all of whom have experienced trauma and will likely be required to attend several court hearings. Yet, there is no space within the JDR courthouse designed with children in mind. Children, guardians, attorneys, and others waiting to attend a child welfare hearing mingle together in a single open foyer outside the courtroom. There are two small meeting rooms that parties can use on an ad-hoc basis for privacy or respite from the noisy foyer, but no space dedicated to use by children. We have collaborated with multi-disciplinary experts to design a space in the courthouse for these children that is welcoming and trauma-informed.

The Charlottesville-Albemarle Best Practice Courts Committee (BPC) is made up of representatives of both localities from the judiciary, Social Services, Juvenile Justice, Piedmont Court Appointed Special Advocates, Court Service Unit, and the local JDR bar. In 2023, the BPC identified providing a peaceful, trauma-informed space for children in the JDR courthouse as a priority and has been working collaboratively toward that goal since.

The child-friendly space will be created within an existing conference room in the JDR courthouse. The expert members of the BPC consulted with an additional expert in children's trauma and trauma-informed design to develop a comprehensive plan for transforming the space. The plan includes soundproofing to minimize noise from the adjacent courtroom, child-sized furniture and work surfaces, trauma-informed books and toys for various ages and abilities, and an overall soothing and

welcoming aesthetic.

Modifications to the existing space include:

- Installation of hat channeling and felt “clouds” to filter noise from courtroom proceedings
- Installation of child-sized furniture and work surfaces
- Installation of soft floor covering
- Painting and decorating with soothing, natural colors and textures
- Installation of bookshelf supplied with books and coloring books in English and Spanish
- Installation of light table and accessories

Alignment with City Council's Vision and Strategic Plan

Partnerships: The courthouse is jointly owned by the City and County, and the Best Practice Committee is comprised of members of the child welfare community of both localities. The project represents a partnership among staff from multiple departments of both localities, as well as members of the larger community such as attorneys who serve as guardians ad litem and a non-profit organization that trains and supervises court advocates serving children. Investing in this child-friendly space emphasizes the care and concern our larger community has for the young people who are participants in challenging court proceedings. Indeed, this project serves as an example of partners coming together to care for some of the most vulnerable members of our community.

Community Engagement

N/A

Budgetary Impact

There is no budgetary impact to the City as this project will be supported by grant funds from the Virginia Department of Criminal Justice Services.

Recommendation

Staff recommends approval and appropriation of grant funds and execution of the Statement of Grant Award.

Alternatives

Council may decline the grant.

Attachments

1. CJA Resolution
2. Statement of Grant Award/ Acceptance

RESOLUTION

Appropriating Grant Funding in the Amount of \$20,000 Received from the Virginia Department of Criminal Justice Services- Children's Justice Act One-Time Grant Program in the amount of \$20,000 and Execute a Grant Agreement

WHEREAS, the City of Charlottesville has been awarded \$20,000 from the Virginia Department of Criminal Justice Services for the City of Charlottesville Children's Justice Act (CJA) One-Time Grant Program for the creation of a children's space in the Juvenile and Domestic Relations courthouse; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the awarded grant funding from the Virginia Department of Criminal Justice Services, the sum of \$20,000 is hereby appropriated for expenditure within the Department of Public Works, for the activities defined in the City of Charlottesville CJA application, as follows:

Revenues:

\$20,000 Fund: 209 I/O: 1900599 G/L Account: 430120 State (Fed Pass-Thru)

Expenditures:

\$20,000 Fund: 209 I/O: 1900599 G/L Account: 430120 State (Fed Pass-Thru)

BE IT FURTHER RESOLVED that City Council hereby approves the terms of the grant agreement between the Virginia Department of Criminal Justice Services and the City of Charlottesville and authorizes the City Manager to execute the grant agreement and other related documents, requisitions or agreements, on behalf of the City; provided that the City Manager may delegate signature authority to a Deputy City Manager or other applicable staff.

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$20,000 from the Virginia Department of Criminal Justice Services.



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

March 25, 2025

Sam Sanders
City Manager
P.O. Box 911
Charlottesville, Virginia 22902

RE: 544381-FY 25- Children's Justice Act (CJA) One-Time Grant Program

Dear Sam Sanders:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **547717** and was approved for a total award of **\$20,000**, funded through Award Number **2201VACJA1** and **2301VACJA1**. The project period is **4/1/2025** through **9/30/2025**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov>. Additionally, if you cannot access your grant in OGMS, your application may be under negotiation. Please check your email and/or spam for OGMS correspondence and follow up with your DCJS Grant Monitor.

If you have not previously done so, you must register to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here www.dcjs.virginia.gov/grants/ogms-training-resources along with other resources and training videos. All registrants will be approved within 3–5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Jenna Foster** at **804-968-8146** or via email at **Jenna.Foster@dcjs.virginia.gov**.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson H. Miller".

Jackson Miller
Director

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, VA 23219

544381-FY 25- Children's Justice Act (CJA) One-Time Grant Program

Subgrantee: Charlottesville, City
DCJS Grant Number: 547717
Grant Start Date: 4/1/2025
Federal Grant Number: 2201VACJA1, 2301VACJA1
Federal Awardee: HHS Administration of Children and Families
Federal Catalog Number: 93.643
Federal Start Date: 10/1/2021, 10/1/2022
Project Description: For states to develop, establish, and operate programs designed to improve the child-protection system. To support the investigation, prosecution, and judicial handling of child abuse and neglect cases.

UEI Number: C6VFXLAFKEY1
Grant End Date: 9/30/2025
Indirect Cost Rate: _____ %

Federal Funds: **\$20,000**
State General Funds: **\$ 0**
State Special Funds: **\$ 0**

Total Budget: **\$20,000**

Project Director	Project Administrator	Finance Officer
Taylor Harvey-Ryan Grants Program Manager P. O. Box 911 Charlottesville, Virginia 22902 434-970-3418 burnsl@charlottesville.gov	Sam Sanders City Manager P.O. Box 911 Charlottesville, Virginia 22902 434-970-3106 sanderss@charlottesville.gov	Nakysa Critzer Senior Accountant for Grants and Special Revenues P. O. Box 911 Charlottesville, Virginia 22902 434-970-3174 critzern@charlottesville.gov

***Please indicate your ICR in the space provided, if applicable.** As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.

Signature: _____
Authorized Official (Project Administrator)

Title: _____

Date: _____

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



Agenda Date:	May 5, 2025
Action Required:	Approval of tax refund
Presenter:	Todd Divers, Commissioner of the Revenue
Staff Contacts:	Jason Vandever, City Treasurer John Hunt, Deputy City Attorney
Title:	Resolution to refund \$115,692.68 in Business Tangible Personal Property Tax

Background

A business with situs in the City of Charlottesville, Virginia ("City"), provided business tangible personal property filings for Tax Years 2022 and 2023 that incorrectly included internal development software. The software costs were significant, and the ensuing tax amounts were paid timely by the entity in question. After subsequent inquiries by the taxpayer beginning in June 2024, the COR determined that, pursuant to Virginia Code § 58.1-1101(A)(8), such software is properly classified as intangible personal property, and therefore not subject to local taxation.

Discussion

The amount of tax paid in error is \$115,692.68. It is the COR's determination that this amount should be refunded to the taxpayer. City Code Sec. 30-6(b) requires City Council approval for any tax refunds resulting from an erroneous assessment in excess of \$10,000.

Per City Code Sec. 30-6(b), the COR has provided to the Deputy City Attorney information necessary to enable him to consent to the COR's determination that the tax paid by the taxpayer was erroneous and should therefore be refunded. The Deputy City Attorney, COR, and City Treasurer have therefore approved the refund for presentment to City Council.

Alignment with City Council's Vision and Strategic Plan

N/A

Community Engagement

N/A

Budgetary Impact

The refund will reduce current year Business Tangible Personal Property Tax revenue (GL 400105) by \$115,692.68.

Recommendation

Approve attached Resolution authorizing tax refund.

Alternatives

None.

Attachments

1. Refund Resolution

**RESOLUTION AUTHORIZING A REFUND OF \$115,692.68 TO A TAXPAYING
ENTITY OR BUSINESS, FOR BUSINESS TANGIBLE PERSONAL PROPERTY TAX
PAID IN ERROR FOR 2022 AND 2023**

WHEREAS, the Commissioner of the Revenue for the City of Charlottesville, Virginia (“COR”), has determined that a taxpaying entity or business paid 2022 and 2023 Business Tangible personal property Tax to the City of Charlottesville in error; and

WHEREAS, that taxpaying entity or business has requested a refund of the amount paid in error; and

WHEREAS, the COR has certified that a refund of taxes paid is due in the amount of \$115,692.68; and

WHEREAS, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$10,000.00.

NOW THEREFORE, BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that it hereby approves this Resolution authorizing the City Treasurer to issue a refund of \$115,692.68 payable to that taxpaying entity or business.

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



Agenda Date:	May 5, 2025
Action Required:	Adoption of Resolution Approving the Appropriation of \$5,600 from Warehouse Outlet Sales Revenue to Equipment Replacement Fund
Presenter:	Michael Kochis, Police Chief, Holly Bittle, Budget and Management Analyst
Staff Contacts:	Holly Bittle, Budget and Management Analyst
Title:	Resolution to Appropriate Police Warehouse Outlet Sales Revenue to Equipment Replacement Fund (1 of 2 readings)

Background

When City Police Department vehicles are due for regular replacement, they are sold at auction as part of the City's Comprehensive Fleet Management Program. The resulting revenues are collected and returned to the City Police Department's portion of the Fleet Equipment Replacement Fund as warehouse outlet sales revenue.

Discussion

The City Police Department requests that \$5,600 of revenues collected from the sale of one (1) of its vehicles, a 2013 Impala - unit #3138, be appropriated to purchase replacement police vehicles through the Equipment Replacement Fund.

Alignment with City Council's Vision and Strategic Plan

This Resolution supports the Strategic Outcome area of Organizational Excellence.

Community Engagement

There are no community engagement activities planned.

Budgetary Impact

This appropriation will increase the City Police Department's portion of the Equipment Replacement Fund, without impacting the City's General Fund.

Recommendation

City Staff recommends City Council adopt the attached Resolution approving the appropriation of these revenues.

Alternatives

If funds are not appropriated, the City Police Department's Equipment Replacement Fund will not be increased and less equipment can be replaced.

Attachments

1. Resolution - Police Warehouse Outlet Sales FY 25

**RESOLUTION APPROPRIATING FUNDS FOR THE CITY EQUIPMENT
REPLACEMENT FUND
\$5,600**

WHEREAS, \$5,600.00 of revenue collected from the sale of an 2013 Impala, vehicle #3138, be appropriated for use to purchase replacement police vehicles through the Equipment Replacement Fund;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a total of \$5,600.00 be appropriated in the following manner:

Revenues – \$5,600.00

\$5,600.00	Fund: 106	Cost Center 3101001001	G/L Account: 435999
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Expenditures – \$5,600.00

\$5,600.00	Fund: 106	Cost Center 3101001001	G/L Account: 599999
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City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials*

5-5-2025

City Manager – Sam Sanders (he/him)

- Rivanna Water and Sewer Authority (RWSA) is pleased to announce that it has received several 2024 Excellence in Waterworks Operations/Performance Awards. The awards are based on performance above and beyond minimum water quality standards by optimizing and running their treatment process efficiently and effectively.
 - The Crozet Water Treatment Plant, North Rivanna Water Treatment Plant, and Scottsville Water Treatment Plant all received Gold Awards.
 - The South Rivanna Water Treatment Plant and Observatory Water Treatment Plant received Silver Awards.
- 04/25: Attended Quarterly Mayor & Chairs/CAOs Meeting with Thomas Jefferson Planning District Commission (TJPDC).
 - Christine Jacobs gave the Director's Report which included:
 - Gallagher Class & Comp concluded (22% below market wage gap)
 - FY26 budget increases worked in with support of Board (Board adoption next week)
 - No increases to municipalities - increases will be integrated into grant proposals
 - Safe Streets & Roads for All - coming to the governing boards for review soon (Move Safely Blue Ridge)
 - TJPDC is 70% funded by federal funds
 - David Blount gave the Legislative Update which included:
 - Studying federal impacts and backup planning for workforce and revenues
 - Unemployment has ticked up, mostly in northern VA and Hampton Roads
- 04/25: Attended Police Civilian Oversight Board (PCOB) Town Hall at Carver Recreation Center - thank you to Inez, James, and the PCOB for your efforts coordinating this event and engaging city residents.
- 05/01: Attended the State of the Chamber event at Hillsdale Conference Center to learn the latest in how our regional chamber is working to support the needs of our business community

Deputy City Manager for Administration – Eden Ratliff (he/him)

- Spoke at the ICMA - International City/County Management Association 2025 Local Government Reimagined conference in Milwaukee, Wisconsin a few weeks ago regarding crisis management within an organization emphasizing the importance of resilience, recovery, and community trust.

- Facilitated an emergency incident communication workshop with Charlottesville Fire Department leaders and our Communications and Public Engagement team to ensure timely and accurate information is being shared with our community.
- Participated in an internal assessment of the City Manager's Office with City Manager Sanders, Deputy City Manager (DCM) Freas, and DCM Marshall.
- Performed an analysis on the City's meet and confer process to enhance labor relations.
- Announced the hire of Joseph Gilkerson as the new Director of Human Resources. Joe comes to the City from Prince William County, VA where he most recently served as Director of Human Resources for the County government. Welcome, Joe!

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

- Our biweekly community newsletter, City Scoop, is now LIVE! You may sign up to receive the newsletter via email [here](#), you can find a link on our website and social media platforms, and you can also find copies in City Hall and at a few locations on the Downtown Mall.
- Reminder: The City's public affairs tv program, Inside Charlottesville, airs every Friday and Sunday at 7:00 PM and every Saturday and Monday at 9:00 AM on Charlottesville TV10 – Comcast Channel 10 in the City of Charlottesville and surrounding counties. We also have a free Roku app for TV10 which folks can find by searching for "Charlottesville TV10" on Roku. You can also tune in on social media or by searching "Charlottesville TV10" on Vimeo.

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

- Happy Bike Month! Alongside numerous Bike Month partners, the Office of Sustainability is supporting and promoting events throughout the month of May to celebrate Bike Month. To learn more, visit <https://bikecville.com/> (link).
- The Resilient Together Project Team will be hosting several public design workshops to allow community members to lend their ideas to the climate adaptation and resilience planning process. Upcoming workshops will be held at Stony Point Elementary on May 12, Yancey Community Center on May 20, and Greenwood Community Center on May 29. All design nights will run from 6-8 PM and will provide light food and refreshments.
- A solar PV system is coming to CATEC! Energy company CMTA has engaged Tiger Solar to install this project. Work is projected to start in late May/early June 2025 and will be completed in August 2025.

- The Office of Sustainability's Climate Program Manager participated in a panel discussion hosted in partnership with the Tom Tom Foundation and the Citizens' Climate Lobby on building community resilience.
- The Climate Team tabled at a climate-focused event hosted by the Community Climate Collaborative to share information about the newly launched Resource Hub, the electric vehicle (EV) charging infrastructure survey, the Resilient Together Project, and the Charlottesville Invasive Plant Partnership.
- The Office of Sustainability tabled with UVA's Office for Sustainability to encourage participation in upcoming Resilient Together Project design nights and DIY Chat Kit opportunities.
- The Office of Sustainability presented at an Earth Day event hosted by the Charlottesville chapter of the National Organization for Women and the Sierra Club of the Piedmont to share program updates and opportunities for community input.
- As part of the Office of Sustainability's (OS) WISE (**W**orking In a **S**ustainable **E**nvironment) Program, the OS hosted a plant swap for City employees in celebration of Earth Day.
- The Office of Sustainability and CAT are offering a fun, sustainability-themed Transit Bus Wrap Art Contest. We are inviting local artists to submit designs for two buses. For more information go to www.catchthecat.org (link).
- In partnership with LEAP and JMRL, the Office of Sustainability has deployed the first of several mobile information stations to provide hard copy Energy Resource Hub materials.
- The Office of Sustainability is supporting community organizations, Community Climate Collaborative, and Virginia Discovery Museum to deliver Climate Action Kits to all 4th and 5th graders at CCS this May. These kits provide hands-on learning about climate and energy directing families to efficiency programs that will reduce both emissions and home energy costs.
- Join the City and community partners for Rivanna RiverFest on Saturday, May 10 (May 11 rain date) from 2-9 PM at Rivanna River Company for a celebration of the Rivanna River. Enjoy fun family-friendly activities for all ages, river recreation, live performances, food, drink, and so much more! This is a free event, and you can learn more on the event website: <https://www.rivannariver.org/rivanna-riverfest/> (link).

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

- Grants Update: Staff have conducted an assessment of the current state of grants across the City and continue to monitor the state of federal funding. To date, we have received one notice of termination for the Urban Sustainability Directors Network (USDN) Urban Forest Management grant in the amount of \$150,000.
- National Fitness Campaign: Staff have expanded outreach with the Parks and Recreation Department to identify if there is interest in pursuing a grant from the

National Fitness Campaign to purchase and install their fitness court/fitness studio equipment in any Charlottesville parks. The Campaign completed a “feasibility analysis” that indicated, based upon their experience in other municipalities, the top four recommended park locations would be McIntire, Darden-Towe, Azalea, and Tonsler Park.

- Virginia Department of Conservation and Recreation - Recreational Trail Grant 2025: The Office of Community Solutions (OCS) Grants Analyst is working with Parks and Recreation staff to submit a grant application seeking approximately \$120,000 to complete the Pollocks Branch Trail project; specifically, the cultural and wayfinding signage as well as trail maintenance and rehabilitation to improve trail conditions and accessibility.
- Virginia Department of Criminal Justice Services- Bryne State Crisis Intervention Program: The Grants Program Manager worked with Offender Aid and Restoration (OAR) staff to complete an application for funding in the amount of \$150,000 to support the enhancement of the Therapeutic Docket program by increasing Case Management and Mental Health Navigation services provided to the participants of the Albemarle-Charlottesville Therapeutic Docket. If awarded, the City will serve as the fiscal agent for this grant.
- Neighborhood Leaders Meeting: Staff coordinated the quarterly Neighborhood Leaders Meeting held on April 3. Neighborhood Association Leaders are invited to attend this quarterly meeting facilitated by the City Manager to ask questions and have staff respond to specific neighborhood concerns. The next meeting is scheduled for June 26.
- Charlottesville Community Development Block Grant (CDBG) & HOME Programs: As of April 23, the US Department of Housing & Urban Development (HUD) has not released to the public their CDBG and HOME awards for program year (PY) 2025-26. Localities like Charlottesville are, however, required to develop and submit to HUD for review an Annual Action Plan that has been presented to the public for comment and public hearings. The draft PY25 plan has now been presented to the public during two public hearings, one before the City’s Planning Commission and one before the City Council, with two more scheduled (a second reading before Council on May 5 and one public hearing before the Thomas Jefferson Planning District Commission [TJPDC] on May 1 at the TJPDC Water Center). By way of background, the Annual Action Plan is an update to the prior year’s plan and outlines the steps we will take to use HUD funding to support the goals outlined in the 2023-27 5-Year Consolidated Plan. Members of the public can review the plan online at <https://tipdc.org/public-comment-py-2025-annual-action-plan/> (link) and/or by contacting TJPDC or OCS staff.
- Neighborly Software Implementation: Staff continue to roll out the implementation of the Neighborly Software grants management system, with a focus on the (a) applications review/scoring, (b) progress monitoring and reporting and (c) invoicing modules. Staff is working to wrap up the GoLive phase of development

and Neighborly was used by the members of the CDBG/HOME Taskforce to review and score the applications received for the upcoming 2025-26 program year. Having this tool available significantly eased the collaborative scoring process, thereby freeing up valuable time for the group's discussions about where to allocate the limited funds available to them. Our goal is to have the full suite of modules sufficiently developed such that applications for CDBG, HOME, Charlottesville Affordable Housing Fund (CAHF), and Housing Operations and Programs Support (HOPS).

- Charlottesville Affordable Housing Fund – Fiscal Year 2025; and Housing Operations and Programs Support – Fiscal Year 2026: On April 7, the City Council approved funding recommendations by the Charlottesville Affordable Housing Fund Advisory Committee for both the CAHF and the HOPS grants. With Council action taken, staff is now proceeding with formal award notifications and the execution of grant agreements with the selected recipients. These awards reflect strategic investment in housing production, preservation, and service delivery aligned with City priorities and community needs.
- Housing Equity and Anti-Displacement Toolkit (HEAT) Strategy: On April 21, OCS staff presented the 2025 Affordable Housing Report to the City Council, outlining current investment levels and the strategic direction of the City's affordable housing initiatives. In the same session, staff also provided an update on the HEAT Strategy, including a draft ordinance for the establishing the Land Bank Authority of the City of Charlottesville (LBAC) and an introduction to conceptual policy considerations for a Charlottesville Affordable Housing Tax Abatement Program (CAHTAP). These efforts represent foundational elements of the City's long-term housing equity framework. Staff is now actively working through after-action items related to both the report and the open session discussion, including refining draft policy documents and coordinating follow-up communication and timelines.
- First Housing Expo 2025: City staff assisted County staff to plan and hold a Housing Expo on Saturday, April 12 at the Carver Rec Center, geared towards providing resources and information to homebuyers, renters and landlords. In addition to housing providers being available to provide information, there were three workshops: Fair Housing & Your Rights; First-Time Homebuyer Resources; and Renter Responsibilities. While there was a small attendance, the comments received from the attendees were very positive. It is intended that there will be annual Housing Expos planned in the future.
- Virginia Housing Regional Board Meeting Housing Panel: On April 28, OCS Director was invited to speak at the Virginia Housing Regional Board Meeting - Housing Panel on the City's affordable housing initiatives, as well as City involvement with the UVA Housing Committee.

Office of Human Rights – Director Todd Niemeier

- The Office of Human Rights submitted the revised Charlottesville Human Rights Ordinance, adopted by City Council on January 21, 2025, to the Federal Fair Housing Office for review as part of the interim certification process for the Fair Housing Assistance Program. Per a conversation with the Director of the Fair Housing Assistance Program on March 14, 2025, a draft workshare contract was being prepared by HUD and would soon be provided to the City for review.
- The Human Rights Commission held its Annual Planning Meeting on Saturday, March 22, 2025. During this meeting, Commissioners identified housing access and stability across protected classes and economic status, as well as support for marginalized communities during federal uncertainty as primary focuses for their work through February 2026.

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



Agenda Date:	May 5, 2025
Action Required:	Resolution Adoption
Presenter:	Jeffrey Werner, Historic Preservation and Design Planner
Staff Contacts:	Jeffrey Werner, Historic Preservation and Design Planner Kellie Brown, Director of NDS
Title:	Board of Architectural Review Appeal: Denial of Demolition Certificate of Appropriateness for 144 Chancellor Street Contributing Structure

Background

The property owner of 144 Chancellor Street ("Appellant") has appealed the Board of Architectural Review's ("BAR") January 22, 2025, denial of a Certificate of Appropriateness ("CoA") to allow demolition of an approximately 20-ft x 56-ft, single-story, wood-framed structure, constructed circa 1905 as schoolhouse ("Structure"), within the 10-day period proscribed by City Code Chapter 34, Section 5.2.7.E. This structure was designated by City Council a "contributing structure" within The Corner Architectural Design Control District. Per City Code Chapter 34, Section 5.2.7.A.1.c., the demolition of a "contributing" structure requires approval of a CoA.

Discussion

On January 22, 2025, the BAR, via a 6-0 vote, denied a CoA to allow demolition of the Structure. The Structure was reportedly vacant by 1920, after which it served as a residential rental. In 1979, it was acquired by its current owner, and most recently used for storage.

Relevant links and attachments from the January 22, 2025, BAR Meeting are as follows:

- CoA application, Staff Report (including background and the historical survey), and BAR action: [144 Chancellor St Demo CoA - BAR review Jan 22, 2025](#);
- January 22, 2025, BAR Meeting video: [Board of Architectural Review, 1/22/2025 \(144 Chancellor Street begins at approximately 00:40:00\)](#); and
- January 22, 2025, BAR Meeting Minutes, including motion (Attachment 6).

The BAR's review criteria for demolitions are specifically limited to the City Code provisions under Chapter 34, Section 5.2.7. D.1.b. However, on an appeal, City Council may consider "any other information, factors, or opinions it deems relevant to the application."

In appealing the BAR's action, the Appellant states the structure is not architecturally unique or tied to notable individuals, and it has outlived its purpose. In reviewing the CoA request, the BAR relied

on the 1983 state designation, the 1984 federal designation, and 2003 City designation of this property. All established that this vernacular structure is valued for its contribution to the surrounding historic district.

In appealing the BAR's action, the Appellant also asserts that demolition is considered the most practical path forward, citing expert analysis showing the Structure is unsafe and would be costly to repair. The Appellant asserts that, despite maintenance efforts, structural issues make rehabilitation unfeasible, and, even if feasible, the Structure has limited value as a useable structure. In reviewing the CoA request, BAR did not refute that the analysis support demolition. Instead, BAR noted the analysis presented options to repair the Structure. Additionally, BAR concluded the owner bears responsibility for the deteriorated condition of the Structure, given that it is a "contributing structure" within a Design Control District. BAR did not refute that the repairs could be costly. Instead, applying the review criteria and following BAR's primary charge to preserve historic buildings, BAR concluded repairing the Structure is the preferred remedy. The Appellant's appeal letter is attached as Attachment 1. City Staff's full response is attached as Attachment 2.

City Council actions to deny a CoA for demolition may be appealed to the Charlottesville Circuit Court (Ch. 34, Section 5.2.7.E.1.e.). In addition to the right of further appeal, following a denial by City Council, the owner will, as a matter of right, be entitled to demolish the structure if, for a period of 12-months, the property is offered for sale at a fair market price to a party that will preserve and restore it, *and* no *bona fide* contract is executed within that 12-month sale period (Ch. 34, Section 5.2.7.E.1.f.). The full text of the relevant City Code provisions is found attached in the Appendix of Attachment 3.

It is also important to note that, on October 21, 2013, City Council reviewed an appeal of the BAR's July 16, 2013, denial of a requested CoA to raze the Structure at 144 Chancellor Street. City Council approved (5-0) a Motion to uphold the BAR's denial. Please see the following related linked information:

- Link to July 2013 BAR review: [144 Chancellor St Demo CoA - BAR July 2013](#); and
- Link to October 2013 appeal: [144 Chancellor St Demo CoA - Appeal Oct 2013](#).

Alignment with City Council's Vision and Strategic Plan

Upholding the BAR's decision aligns with Goal 11 of the City's 2021 Comprehensive Plan, to *provide effective protection of Charlottesville's historic resources, including through recognition and incentives*.

Community Engagement

City Code, Chapter 34, Division 5.2.1.D, requires Public Notice prior to the BAR's review of a CoA request. The January 22, 2025, BAR Meeting was publicly posted. During said Meeting, comments were offered by Kevin Blair, the CoA applicant, and Robert Krumpfen, the consulting engineer with Dunbar Structural. There were no public comments prior to or during the Meeting.

Budgetary Impact

None.

Recommendation

City Staff recommends City Council render a final decision, by Resolution, to deny a CoA to allow demolition of the Structure, as provided in Attachment 4: Resolution of Denial of a Certificate of Appropriateness for Demolition of the structure at 144 Chancellor Street.

Alternatives

If City Council agrees with the Appellant, then City Council should approve, by Resolution, a CoA to allow demolition of the Structure, as provided in Attachment 5: Resolution of Approval of a Certificate of Appropriateness for Demolition of the structure at 144 Chancellor Street.

Attachments

1. Attachment 1 - 144 Chancellor St CoA Appeal – Applicant Letter - Feb 5 2025
2. Attachment 2 - 144 Chancellor St CoA Appeal - Staff Response
3. Attachment 3 - 144 Chancellor St CoA Appeal - Legal Supplement to Staff Memo
4. Attachment 4 - 144 Chancellor St CoA Appeal - Draft resolution - DENY CoA
5. Attachment 5 - 144 Chancellor St CoA Appeal - Draft resolution - APPROVE CoA
6. Attachment 6 - 144 Chancellor St CoA Appeal – BAR Mtg Minutes Jan 22-2025
7. Attachment 7 - 144 Chancellor St CoA Appeal - Photographs



DELTA ZETA
NATIONAL HOUSING CORPORATION

City of Charlottesville
City Council
c/o: Kate Richardson
PO Box 911
Charlottesville VA 22902

RECEIVED

FEB 05 2025

NEIGHBORHOOD DEVELOPMENT SERVICES

RE: Board of Architectural Review Appeal
BAR 25-01-22
Tax Map 9 Parcel 109
Delta Zeta Annex
144 Chancellor Street
Charlottesville, VA 22902

Dear City Council,

On behalf of Delta Zeta National Housing Corporation (DZ-NHC), owner of 144 Chancellor Street, this letter appeals the Board of Architectural Review (BAR) denial of a Certificate of Appropriateness for Demolition of the structure at 144 Chancellor Street, commonly referred to as the Annex. This appeal contests the BAR finding that the proposed demolition does not satisfy the BAR's criteria and guidelines.

The following timeline summarizes key dates:

- 1905 – Building originally constructed
- 1907-1917 – Building in use as a school
- 1920 – Building is vacant
- 1929 – Building serves as a rental dwelling
- 1937 – Renovation, scope unknown
- 1958 – General repair, scope unknown
- 1979 – Building purchased by DZ-NHC
- 1996-1998 – Building briefly serves as a rental dwelling
- 1998 – DZ-NHC determines the building is unsafe, prohibits further occupancy
- December 2010 – DGP architects retained to perform feasibility study for occupancy
- December 2010 – Storm and falling tree damage roof, roofing at end of service life
- January 2011 – Structural condition and build inspections performed
- January 2011 – Asphalt shingle roofing replaced following inspections
- April 2011 – Feasibility study determines structural rehabilitation is not feasible
- July 2012 – Earthquake in Central Virginia further destabilizes structural condition
- June 2013 – Application to BAR for Certificate of Appropriateness for Demolition
- October 2024 – Structural engineering visit and report acknowledging further destabilization
- January 2025 – Application for CoA and BAR members site visit and review hearing
- February 2025 – BAR appeal application to City Council

The following is an analysis of the standards concluding demolition of the structure satisfies the BAR's criteria and guidelines:

- A professional economic and structural feasibility study for rehabilitating the structure was previously performed, and its findings support the proposed demolition.

- The building is in a state of structural failure, unsound for any form of occupancy, with structural rehabilitation determined to be infeasible.
- The building is not associated with a historic person, architect or master craftsman or with a historic event.
- The architectural character of the building is quite common and utilitarian, a vernacular frame cottage and does not represent an infrequent or first or last remaining example within the city of a particular architectural style or feature.
- Distinguishing characteristics, qualities, features and materials have been destroyed or heavily obscured by past removals and renovations.

The BAR ruling that the proposed demolition does not satisfy the BAR's criteria and guidelines focused on contrary aspects as evidenced by BAR members' discussion during the January 22 hearing:

- The current structural failure resulted from the owner failing to maintain the structure over time. Permitting demolition at this time would represent "demolition through neglect."
- The original brief use of the building as a non- public school represents a historically significant period during the early 20th Century.

This appeal contests the BAR positions as follows.

The structural failure of the Delta Zeta Annex resulted from the following factors:

- Insufficient engineering at the time of initial construction.
- Lateral earth forces in excess of the structure's design applied for long periods of time.
- Compound failures of multiple structural systems, resulting in building displacement, triggering further and prolonged failures.
- Lateral earthquake forces (2012) compounding the instability of an already unsound structure.
- 120 years of locomotive and railway traffic vibrations further contributing to the degradation of the underlying inferior foundational elements of the building.

The structural failure of the Delta Zeta Annex did not result from neglect or lack of maintenance on behalf of the owner.


The owner of the historic building should perform reasonable routine maintenance and service to sustain the building in a state of utility. DZ-NHC demonstrated good stewardship of the Annex by replacing the asphalt shingle roof in January of 2011 following storm damage. However, the structural failure issues have been present in the building for years, dating to before DZ-NHC ownership of the Annex in 1979. After a comparative analysis of recent and previous engineering reports, the exact extent of the structural failure, continued degradation of the foundation and movement of the building down the slope is clear. The scope and cost of structural failure of this nature exceeds any reasonable expectation of building maintenance and service.

The BAR ruling asserted the apparent use of the Annex as a school may provide some historical or cultural value. Although the building is located within a designated historic district, there is no association of the Annex with a particular historic person, architect or master craftsman or with a historic event. With vague and tenuous connections to historical references, this appeal assigns a minimal historical and cultural value to the Annex. The lack of extant significant architectural details and design does not support meritorious status.

In conclusion, the case for rehabilitation of any historic structure must find a balance between historical and cultural value, potential utility of the structure in the future and the feasibility of rehabilitation including structural and economic requirements. There is minimal historical and cultural value in the Annex, and the building itself has exceeded the original intended lifespan of its simple, vernacular frame construction. The

extant structural failures, through no fault or neglect of the owner, have overwhelmed the feasibility of rehabilitation. Therefore, this appeal finds the proposed demolition of the structure at 144 Chancellor Street satisfies the BAR's criteria and guidelines and is eligible for the Certificate of Appropriateness for Demolition.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "John J. Gottschall", is written over the closing "Respectfully yours,".

John J. Gottschall, CPA
Executive Vice President

cc: Kevin S. Blair, Contractor
Madison Varney, House Director
Delta Zeta Property Management

DELTA ZETA NATIONAL
HOUSING CORPORATION
202 EAST CHURCH STREET
OXFORD, OH 45056

NATIONAL BANK OF INDIANAPOLIS
INDIANAPOLIS, IN 46204
20-6677740

252709

0252709

1/30/2025

\$125.00

DATE

AMOUNT

One Hundred Twenty Five and 00/100 Dollars

PAY
TO THE
ORDER
OF:

CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services
PO Box 911, City Hall
Charlottesville, VA 22902

Cynthia W. Menges

John J. Hall
AUTHORIZED SIGNATURE

⑈ 252709⑈ ⑆074006674⑆

1615160⑈

Jan 31, 2025

Report with Addendum (Original report October 28, 2024)

Tammy Hubbard (PROPERTYMANAGEMENT@DELTAZETA.ORG)

Property Manager

Delta Zeta

202 East Church St

Oxford, OH 45056

RE: 144 Chancellor St.
Initial Structural Condition Assessment
Dunbar Project 2410-72

Dear Tammy,

As requested, we recently visited the 144 Chancellor St to review the condition of the structure with the understanding the building is intended to be repurposed for light storage. Following is a summary of our initial observations and recommendations. Also an addendum has been added at the end of the report to compare site visit photos from a previous site visit we performed in Jan 2010 to our October 2024.

Observations

The existing building is a one-story house built around 1900 with the exterior dimensions of approximately 20ft x 56ft. The structure consists of a wood frame construction being supported by a solid brick retaining wall along the west side and brick piers around the remaining perimeter with interior piers supporting the floor as well.





The interior of the building shows signs of multiple roof leaks with plaster ceilings having come loose and fallen on the ground. It was indicated that the roof has repaired recently with a new asphalt shingles installed.

The ground floor wood flooring and joists appear to be in fair condition. No signs of major rot or other damage. The floor joists consist of actual 2x10's at 16" oc. Typical span for the joists is approximately 9 ft.

The front porch consists of a 10ft x6ft concrete slab on grade supporting the porches roof. At the building it is apparent that the concrete slab on grade has settled approximately 1 to 2" in elevation. This is apparent in the post imprints in the concrete indicating the posts and door sill use to be in close contact with the concrete slab.



Photo 1: Imprints of the post in concrete indicate the slabs original position.



Photo 2: Imprints of the post in concrete indicate the slabs original position.

The foundation along the west side of the building consists of a solid brick masonry retaining wall of multi wythe thickness 4 to 5 ft tall within the crawl space. The earth slopes down to the wall from the road which is approximately 15ft from the building at an elevation of 2'-6" above ground floor. The wall is bowed out approximately 3 to 5". It also appears that the top of the wall has shifted laterally. There are numerous horizontal cracks at mid elevation along the wall. Several of the internal brick piers supporting the ground floor are out of vertical by up to 2". The ground within the crawl space appears to be damper than normal considering we have not had any precipitation in the past few weeks.

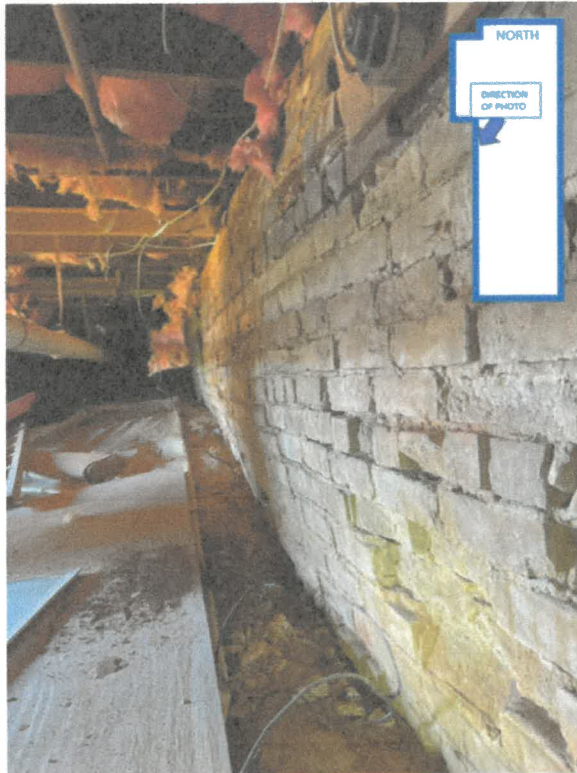


Photo 3: West side retaining wall with significant bow.

Along the perimeter of the building, the brick piers appear to be leaning towards downslope (easterly direction) as well. This reinforces the sense that the building has shifted laterally down slope potentially a couple of inches.



Photo 4/5: Perimeter piers with gaps between CMU infill and piers being larger at top.



Photo 6: Perimeter piers with gaps between CMU infill and piers being larger at top.



There is CMU infill along the south, north and east side in between the perimeter brick piers. These walls do not appear to be connected to the piers or the ground floor as evidence that these walls can move laterally simply by pushing them and that there are noticeable gaps in the piers and the CMU infill. Note these gaps tend to be wider at the top of the wall further indicating the piers have shifted down slope.

Recommendations

We have several structural concerns with the existing building.

- The west side brick retaining wall appears to be failing.
- The CMU walls do not appear to be connected at the top and are unstable in the out of plane direction of the wall.
- The slope of the ground is permitting water to build up and infiltrate the west side of the building.

Lateral earth pressure along the west side is displacing the building and causing cracking and failure of the brick retaining wall. This is compounded by water runoff pressing against the wall as well. The presence of horizontal cracks along the mortar as well as the bow in the wall indicates the brick wall is failing in flexure. This bow may be the result of why the slab on grade at the porch has dropped 1 to 2" relative to the ground floor. Indications that all of the brick piers have shifted at the top towards the east (downslope) also indicates that the entire building has shifted downslope as well.

If a repair project were to be undertaken, we would generally recommend the following as structural repairs:

- Excavate and remove the existing backfill along the west side of the building.
- Repair or replace the existing brick retaining wall. This would consist of 35ft of wall.
- Install a foundation subdrain that outlets to daylight or suitable drain. Install a waterproofing system against the below grade walls. Replace backfill along the west wall with an open graded stone such as VDOT No. 57.
- Connect the perimeter CMU infill to the brick masonry piers. This could be accomplished with a 2x ledger board and adhesive anchors.
- Connect the building perimeter sill plate to the CMU infill walls.
- Generally performed repairs to the damaged and cracked masonry. This work would involve extensive repointing.

The above repair work would be extensive with the repair costs making up a significant fraction of a complete replacement of the building.

In consideration of the floor joists, we consider the joists to be capable of supporting light storage provided the supporting masonry walls and piers are repaired.



The above is a general summary of observations and recommendations. If requested, we can provide specific repair details. We appreciate the opportunity to assist. Please contact me if you have any comments or questions, or if we can assist further.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. P. Krumpen", with a stylized flourish at the end.

Robert P. Krumpen, PE

2025-01-31 Addendum

In addition to the site visit performed in October 2024, Dunbar (then known as DMWPV) had previously performed a similar site visit in Jan 2010. We compared photos to see if they could confirm that the structure is degrading as mentioned in our 2024 and 2010 reports. The photo comparisons reinforce our concerns that the western retaining wall along the entrance of the building is at risk of collapse which has the potential to cause significant damage to the building. Also, it appears in the photo comparisons that the building has shifted east, this movement needs to be address by connecting the CMU infill walls to the building superstructure as mentioned in the 2024 report.

Jan 2010



October 2024



Front porch slab on grade has settled. We believe this is due to the movement of the retaining wall at this location.



Jan 2010



October 2024



West side retaining wall, the later photo appears to show the wall has curved out more.

Jan 2010



October 2024



Corner masonry pier on the south eastern corner of the building. The later photo shows a gap of approximately $\frac{3}{4}$ " that does not appear in the 2010 photo. This supports our observations that the building may be shifting east.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. P. Krumpen'.

Robert P. Krumpen, PE

City Staff's response to the applicant's February 5, 2025 letter [Attachment 2] appealing to City Council the Board of Architectural Review's ("BAR") January 22, 2025 denial of a certificate of appropriateness ("CoA") for demolition of the single-story, wood framed structure at 144 Chancellor Street (BAR #HST25-0055).

Throughout this Response, references to "Staff" represent the collective positions of the BAR, the City's Preservation and Design Planner, and the City Attorney's Office.

Referenced material from the July 16 2013 and the January 22, 2025 CoA requests are at:

[144 Chancellor Street Demo CoA - BAR July 2013](#)

[144 Chancellor Street Demo CoA - Appeal to City Council October 2013](#)

[144 Chancellor Street Demo CoA - BAR review January 22 2025](#)

Referenced City Code sections are included in the Appendix to this Response.

EXECUTIVE SUMMARY OF STAFF'S RESPONSE

This appeal has been taken by the owner of 144 Chancellor Street, the property that is the subject of this appeal. For the reasons stated below (within specific responses to each of the Appellants' separate contentions), Staff's position is that the concerns expressed by the Appellant do not provide a basis for the BAR to approve a CoA for demolition the standards set forth within Chapter 34 (Zoning) Section 5.2.7. D.1.b.

Per City Code Chapter 34, Section 5.2.7.E.1.d.: "City Council must consider the appeal, consider the BAR's position communicated in this Response as the "Staff Response", and City Council may consider any other information, factors or opinions it deems relevant to the application. City Council should make a final decision on the application and should not refer the matter back to the BAR.

Staff Response to Appellant's Contentions

Appellant item 1: *The following is an analysis of the standards concluding demolition of the structure satisfies the BAR's criteria and guidelines:*

Item 1a: *A professional economic and structural feasibility study for rehabilitating the structure was previously performed, and its findings support the proposed demolition.*

Staff Response: On this item, staff does not suggest the BAR questioned or challenged the information provided by the applicant, only that while the expert analyses support demolition, it also presented repair options to mitigate the deteriorated condition of the structure.* That is, the analyses do not conclude demolition as the only viable option. The BAR did not refute the recommendation of demolition as an option, but responded with a preference for the recommended repairs as a remedy. (* Reference to the analyses presented for the 2013 request and for the 2025 request.)

The demolition request reviewed by the BAR in 2013 included a report of Dalglish Gilpin Paxton Architects (DGP) stating “a professional economic and structural feasibility study for rehabilitating or reusing the structure has been performed, and supports the proposed demolition.” This information was included in the January 22, 2025 staff report via links to 2013 review. (See DGP letter to BAR staff, dated June 25, 2013.)

However, when this request for a demolition CoA was presented to the BAR on July 16, 2013, to City Council, on appeal, on October 21, 2013, and again to the BAR on January 22, 2025, each time the decision was to deny the requested CoA.

It is worth noting that the two reports attached to the DGP letter of June 15, 2013, while acknowledging the deteriorated conditions, both identified repair options that would mitigate those conditions. Additionally, the engineer’s report submitted to the BAR in January 2025 (by the same firm who examined the structure in 2010) reiterates the ongoing deterioration of the structure, yet also refers to repairs in lieu of demolition.

Additionally, the 2013 DGP letter concluded demolition was supported due to the “absence of significant historic materials” and the “absence of distinguishing characteristics and materials, and absence if historic significance.” These conclusions were not supported by the BAR.

Item 1b: *The building is in a state of structural failure, unsound for any form of occupancy, with structural rehabilitation determined to be infeasible.*

Staff Response: Expert analyses demonstrated that without extensive improvements, the structure will continue to deteriorate and subsequently recommended against use or occupancy, noting the costs for the needed repairs would “likely [be] a significant fraction of a complete replacement of the building.” (See Dunbar report, dated January 31, 2025.)

The appellant determined rehabilitation is not feasible. From the CoA applicant’s comments to the BAR, January 22, 2025: “The previously projected cost estimate in 2013 to bring the building systems into compliance with current technology, efficiency, and structural soundness was estimated at \$625,000, which would be considerably more factoring in today’s costs. These costs far exceed our value of the building in its current form and functionality. [...] the building has been deemed unsafe and is currently uninhabitable. We no longer have an intended use for the structure and are respectfully asking for your understanding and consideration to allows its safe demolition and removal.”

The BAR did not refute this statement; it concluded demolition was not the only viable option available.

Item 1c: *The building is not associated with a historic person, architect or master craftsman or with a historic event.*

Staff Response: Staff concurs, in that the information reviewed did not indicate any associations. In brief, it is not known who attended this school and/or if any prominent individuals or events are associated with the school.

Item 1d: *The architectural character of the building is quite common and utilitarian, a vernacular frame cottage and does not represent an infrequent or first or last remaining example within the city of a particular architectural style or feature.*

Staff Response: Architecturally, the vernacular style and framed-construction are not unique; however, staff is not aware of any other extant, single-story (or multi-story), framed, one-room schoolhouses in the City.

Item 1e: *Distinguishing characteristics, qualities, features and materials have been destroyed or heavily obscured by past removals and renovations.*

Staff Response: Wood siding is evident beneath the current aluminum siding and no evidence suggests the original or historic siding and exterior trim were removed. The windows appear original.

From the January 22, 2025 BAR staff report: “The simple design of the schoolhouse has been retained. The footprint and openings appear original. The building has been remodeled, including the addition of siding, and reconstruction of the entrance porch, in the same size as the original, which appears to have been added between 1913 and 1920.”

Appellant item 2: *The BAR ruling that the proposed demolition does not satisfy the BAR's criteria and guidelines focused on contrary aspects as evidenced by BAR members' discussion during the January 22 hearing:*

Item 2a: *The current structural failure resulted from the owner failing to maintain the structure over time. Permitting demolition at this time would represent "demolition through neglect."*

Staff Response: This is correct. The BAR concluded the owner bears responsibility for the deteriorated condition of the structure. This was consistent with the conclusions reached by the BAR and City Council in 2013.

BAR, July 16, 2013, review of CoA request:

- Mr. Hogg: “... the owner was able to use the property for 24 years, then allowed it to sit vacant for ten--intentional or no--is an essay in demolition by neglect.”

- Mr. Mohr: “The foundation has been failing for a while, and could be addressed. It is a specious argument that the building is now ready to be torn down.”
- Mr. Adams: “[the structural report] indicates a demolition by neglect situation.”
- Mr. Sarafin: “... the length of ownership and the delayed maintenance – termite damage for example, is absolutely part of a normal maintenance schedule for a building – were problematic.”

City Council, October 21, 2013, review of appeal:

- Mr. Adams (BAR chair presenting to City Council): “... allowing this property to be demolished sets a dangerous precedent of demolition by neglect and [incentivizes] owners not to maintain property. The structural state of the building points to lack of maintenance on the part of the owner, who has owned the building for 34 years.”
- Ms. Smith: “... demolition by neglect is disturbing.”
- From the approved motion to deny the CoA: “... and the owner’s lack of building maintenance given the length of time of ownership.”

BAR, January 22, 2025, review of CoA request:

- Ms. Lewis: “There is no doubt that there is degradation. Are you trying to demolish this by neglect? That report is 15 years old. If you are telling me that you have done no work on that bowing brick foundation wall and done nothing in this earthen foundation and other structural issues that you are citing, that works against your application for demolition. You cannot just let a building fall. We have a duty, especially with a historic building, to maintain things. You are saying that the roof is the only thing you have done in 15 years.”
- Mr. Zehmer: “The applicant is pursuing demolition by neglect.”

Item 2b: *The original brief use of the building as a non-public school represents a historically significant period during the early 20th Century.*

Staff Response: This is correct. From the January 22, 2025 BAR meeting minutes:

- Ms. Lewis: “[This] might be the last remaining example of that type of building.”
- Mr. Schwarz: “Ideally what would happen is that some student group or someone sees it as a community space, sees the value in it as a historic school building...”

Additionally, both the NRHP nomination and the City’s historical survey of this property identify the structure was originally built for and used as a schoolhouse. [The property’s history is summarized in the January 22, 2025 BAR staff report.]

Appellant item 3: *This appeal contests the BAR positions as follows. The structural failure of the Delta Zeta Annes resulted from the following factors:*

- *Insufficient engineering at the time of initial construction.*
- *Lateral earth forces in excess of the structure's design applied for long periods of time.*
- *Compound failures of multiple structural systems, resulting in building displacement, triggering further and prolonged failures.*
- *Lateral earthquake forces (2012) compounding the instability of an already unsound structure.*
- *120 years of locomotive and railway traffic vibrations further contributing to the degradation of the underlying inferior foundational elements of the building.*

Staff Response: The BAR did refute these as factors contributing to the deterioration of the structure. The BAR's position is that these factors do not preclude the necessary maintenance and repairs.

Appellant item 4: *The structural failure of the Delta Zeta Annex did not result from neglect or lack of maintenance on behalf of the owner.*

Staff Response: In its evaluation, the BAR concluded otherwise. (This same conclusion was reached by the BAR in July 2013 and City Council in October 2013, when both denied the requested demolition CoA.)

Appellant item 5: *The owner of the historic building should perform reasonable routine maintenance and service to sustain the building in a state of utility. DZ-NHC demonstrated good stewardship of the Annex by replacing the asphalt shingle roof in January of 2011 following storm damage. However, the structural failure issues have been present in the building for years, dating to before DZ-NHC ownership of the Annex in 1979. After a comparative analysis of recent and previous engineering reports, the exact extent of the structural failure, continued degradation of the foundation and movement of the building down the slope is clear. The scope and cost of structural failure of this nature exceeds any reasonable expectation of building maintenance and service.*

Staff Response: Staff does not refute the applicant's conclusion that it would be costly to complete the necessary repairs.

Appellant item 6: *The BAR ruling asserted the apparent use of the Annex as a school may provide some historical or cultural value. Although the building is located within a designated historic district, there is no association of the Annex with a particular historic person, architect or master craftsman or with a historic event. With vague and tenuous connections to historical references, this appeal assigns a minimal historical and cultural value to the Annex. The lack of extant significant architectural details and design does not support meritorious status.*

Staff Response: The BAR did not assert, or even assign, the historical or cultural values of the structure, these were already established by the VLR/NRHP designations and by the City designating a *contributing structure* within an ADC District. The BAR is charged by City Council to "administer the provisions of the Architectural Design Control (ADC) Districts." The provisions for reviewing a request to raze a contributing structure within an ADC District are established by the City Code. On January 22, 2025,

in applying those review criteria, the BAR determined “the proposed demolition of 144 Chancellor Street does not satisfy the BAR’s criteria and its guidelines and [the proposed demolition] is not compatible with this property and other properties in The Corner ADC District.”

Appellant item 7: *In conclusion, the case for rehabilitation of any historic structure must find a balance between historical and cultural value, potential utility of the structure in the future and the feasibility of rehabilitation including structural and economic requirements. There is minimal historical and cultural value in the Annex, and the building itself has exceeded the original intended lifespan of its simple, vernacular frame construction. The extant structural failures, through no fault or neglect of the owner, have overwhelmed the feasibility of rehabilitation. Therefore, this appeal finds the proposed demolition of the structure at 144 Chancellor Street satisfies the BAR's criteria and guidelines and is eligible for the Certificate of Appropriateness for Demolition.*

Staff Response: The BAR’s purview for demolitions is specifically limited to the City Code provisions under Chapter 34, Section 5.2.7. D.1.b. Those criteria were applied in the BAR’s vote to deny the requested demolition CoA. However, on an appeal City Council may consider “any other information, factors, or opinions it deems relevant to the application.”

The BAR’s evaluation does not require a determination whether the historical or cultural value of a structure is of minimal or maximal. The historical and cultural value of this c1905, single-story, framed, former schoolhouse has been established by the City (2003), state (1983), and federal (1984) designations. In short, like a hand-made quilt, a historic district is the sum of its parts. While some elements are more prominent than others, the value of a historic district derived from the collective contributions of all its elements.

Appendix: Referenced City Code Sections

2.9.2. Architectural Design Control District (-ADC)

A. Intent

The City of Charlottesville seeks, through the establishment of historic districts and through the designation of individually significant properties, to protect community health and safety, to promote the education, prosperity and general welfare of the public through the identification, preservation and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural and architectural significance. To achieve these general purposes, the City seeks to pursue the following specific purposes:

1. To preserve and protect buildings, structures and properties which serve as important visible reminders of the historic, cultural, and architectural or archaeological heritage of the City, the Commonwealth of Virginia, or this nation;
2. To ensure that, within the City's historic districts, new structures, additions, landscaping and related elements will be in harmony with their setting and environs;
3. To promote local historic preservation efforts through the identification and protection of historic resources throughout the City;
4. To document and promote an understanding of the social history of City neighborhoods, and to protect their cultural institutions;
5. To maintain and improve property values by providing incentives for the upkeep, rehabilitation and restoration of older structures in a safe and healthful manner, and by encouraging desirable uses and forms of development that will lead to the continuance, conservation and improvement of the City's historic, cultural and architectural resources and institutions within their settings; and
6. To promote tourism and enhance business and industry, and to promote an enhanced quality of life within the City, through protection of historic, cultural and archaeological resources.

B. Established Architectural Design Control Districts

The following areas have been determined by City Council to be of unique architectural or historic value, and are hereby designated as Architectural Design Control (ADC) Districts, the limits of which are shown on the City's zoning map. City Council has designated only certain buildings within these districts as "contributing structures." Those contributing structures are identified on a map included within the design guidelines for each district.

[...]

6. Corner Architectural Design Control District

C. Additions to and Deletions from Architectural Design Control Districts

1. City Council may, by ordinance, from time to time, designate additional properties and areas for inclusion within an ADC District or remove properties from a ADC District. Any such action will be undertaken following the rules and procedures applicable to the adoption of amendments to the City's Development Code and official zoning map.

2. Prior to the adoption of any such ordinance, the City Council will consider the recommendations of the Planning Commission and the Board of Architectural Review (BAR) as to the proposed addition, removal or designation. The Planning Commission and BAR will address the following criteria in making their recommendations:
 - a. The historic, architectural or cultural significance, if any, of a building, structure or site and whether it has been listed on the National Register of Historic Places or the Virginia Landmarks Register, or are eligible to be listed on such registers;
 - b. The association of the building, structure or site with an historic person or event or with a renowned architect or master craftsman;
 - c. The overall aesthetic quality of the building, structure or site and whether it is or would be an integral part of an existing ADC district;
 - d. The age and condition of a building or structure;
 - e. Whether a building or structure is of old or distinctive design, texture and material;
 - f. The degree to which the distinguishing character, qualities or materials of a building, structure or site have been retained;
 - g. Whether a building or structure, or any of its features, represents an infrequent or the first or last remaining example of a particular detail or type of architecture in the City;
 - h. Whether a building or structure is part of a geographically definable area within which there exists a significant concentration or continuity of buildings or structures that are linked by past events or, aesthetically, by plan or physical development, or within which there exist a number of buildings or structures separated geographically but linked by association or history.
3. Before an area is designated as an ADC District, each structure will be determined to be either “contributing” or “non-contributing.” This determination will be reconfirmed at least once every 15 years.

D. Certificate of Appropriateness

A Certificate of Appropriateness is required for certain projects in ADC Districts in accordance with 5.2.6. Minor Historic Review and 5.2.7. Major Historic Review.

5.1.5. Board of Architectural Review

C. Authority

1. General

- a. In order to administer the provisions of the Architectural Design Control Districts and Individually Protected Properties the Board of Architecture Review (BAR) must:
[...]
- v. Develop and recommend to the City Council for its approval design guidelines for the City’s ADC Districts, consistent with the purposes and standards set forth in Div. 2.9. Overlay Districts. The BAR must develop the design guidelines after seeking input from business and property owners in the various districts. Guidelines developed by the BAR will become effective upon approval by City Council and thereafter will have the status of interpretive regulations. The BAR must undertake a comprehensive review and update the design guidelines at least once every 5 years.

2. Approval Authority

The Board of Architectural Review is responsible for final action regarding:

- a. Certificates of Appropriateness under Major Historic Review; [...]

5.2.7. Major Historic Review

A. Applicability

Major Historic Review is required to receive a Certificate of Appropriateness for the following project activities on any property located in an Architectural Design Control (ADC) District [...]:

1. Architectural Design Control District and Individually Protected Property In an ADC District and for an IPP, Major Historic Review for a Certificate of Appropriateness is required for the following exterior activities:

[...]

- c) Relocation, removal, encapsulation, or demolition in whole or in part of a contributing structure in an ADC District or an IPP.

C. Review and Decision Process

[...]

2. Board of Architectural Review Decision

- a. In considering a particular application the BAR will approve the application unless it finds:
 - i. That the proposal does not meet specific standards set forth within this Section or applicable provisions of the City's design guidelines; and
 - ii. The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the IPP that is the subject of the application.
- b. The BAR will approve, approve with conditions, or deny applications for Certificates of Appropriateness in accordance with the provisions of this Section.
- c. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Architecture Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations: [not germane]
- d. Demolition: The BAR, or City Council on appeal, may make such requirements for, and conditions of approval as are necessary or desirable to protect the safety of adjacent buildings, structures, or properties, and of any persons thereon; and, in case of a partial removal, encapsulation or demolition:
 - i. To protect the structural integrity of the portions of a building or structure which are to remain following the activity that is the subject of a building permit; or
 - ii. To protect historic or architecturally significant features on the portions of a building or structure which are to remain following the activity that is the subject of a building permit.

D. Criteria for Review and Decision

1. Architectural Design Control District and Individually Protected Property

[...]

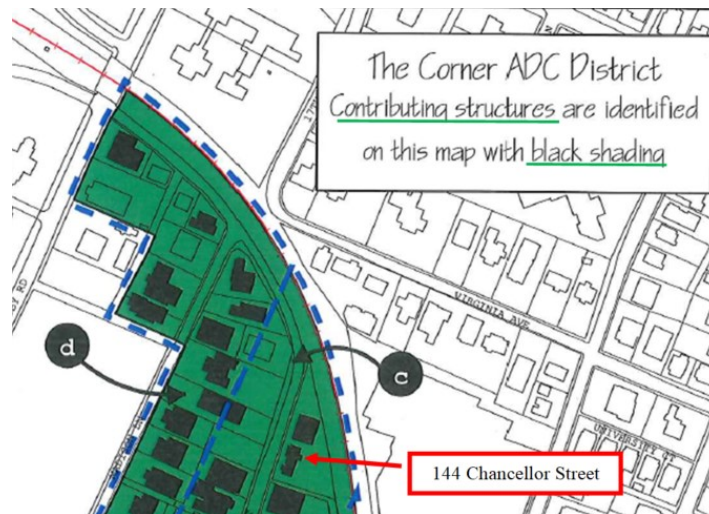
b. Review is limited to following factors in determining whether or not to permit the moving, removing, encapsulation or demolition, in whole or in part, of a contributing structure or IPP:

- i. The historic, architectural, or cultural significance, if any, of the specific structure or property, including, without limitation:
 - a) The age of the structure or property;
 - b) Whether it has been designated a National Historic Landmark, listed on the National Register of Historic Places, or listed on the Virginia Landmarks Register;
 - c) Whether, and to what extent, the building or structure is associated with an historic person, architect or master craftsman, or with an historic event;
 - d) Whether the building or structure, or any of its features, represent an infrequent or the first or last remaining example within the City of a particular architectural style or feature;
 - e) Whether the building or structure is of such old or distinctive design, texture, or material that it could not be reproduced, or could be reproduced only with great difficulty; and
 - f) The degree to which distinguishing characteristics, qualities, features, or materials remain;
- ii. Whether, and to what extent, a contributing structure is linked, historically or aesthetically, to other buildings or structures within an existing applicable District, or is one of a group of properties within such a district whose concentration or continuity possesses greater significance than many of its component buildings and structures.
- iii. The overall condition and structural integrity of the building or structure, as indicated by studies prepared by a qualified professional engineer and provided by the applicant, or other information provided to the BAR;
- iv. Whether, and to what extent, the applicant proposes means, methods or plans for moving, removing, or demolishing the structure or property that preserves portions, features, or materials that are significant to the property's historic, architectural, or cultural value; and
- v. Any applicable provisions of the City's design guidelines.

Legal Supplement to Staff Memo to City Council, May 5, 2025
144 Chancellor Street: Appeal of BAR denial of requested CoA

On January 22, 2025, the City of Charlottesville, Virginia's ("City"), Board of Architectural Review ("BAR") denied a certificate of appropriateness ("CoA") to allow demolition of an approximately 20-ft x 56-ft, single-story, wood-framed structure constructed circa 1905 as schoolhouse at 144 Chancellor Street. On November 17, 2003, City Council established the Corner Architectural Design Control District ("CADCD") and designated 144 Chancellor Street as a *contributing structure* to the district. (Ref. City Code Chapter 34, Section 2.9.2.B.6.) Per City Code Chapter 34, Section 5.2.7.A.1.c., the demolition of a contributing structure requires BAR approval of a CoA.

Note: Within City-designated ADC Districts, contributing structures are identified in the district maps found in Chapter 1 of the ADC District Design Guidelines, adopted by City Council on September 17, 2012. The map for The Corner ADC District (excerpt below, from page 23 of Chap. 1) identifies 144 Chancellor Street as a contributing structure. Link to Chapter 1 of the design guidelines: [Chapter 1 Introduction \(Part 1\)](#)



On February 5, 2025, within the 10-day period proscribed by City Code Chapter 34, Section 5.2.7.E., the property owner appealed the BAR's decision to City Council. [The Appellant's letter of appeal is Attachment 1. Staff's response is Attachment 2.]

State enabling legislation authorizes the City to establish historic districts within its Zoning Ordinance, and to designate specific buildings or structures within the Zoning Ordinance as having important historic, architectural, archaeological or cultural interest. Virginia Code §15.2-2306(A)(1).

State law also authorizes the City to provide for a review board to administer the ordinance. Virginia Code §15.2-2306(A)(1). In 1959, Charlottesville embarked on a preservation planning program and enacted an Architectural Design Control Ordinance. This ordinance established a "restricted design district" comprised of 33 properties in the Court Square area and created a Board of Architectural Review ("BAR") to review the appropriateness of exterior changes to buildings in the district. Per City Code Chapter 34, Section 5.1.5., the BAR is responsible for

final action regarding Certificates of Appropriateness (“CoA”) under Major Historic Review, which includes requests to raze a contributing structure.

State law also authorizes the City to include within its Zoning Ordinance a requirement that no historic landmark, building, or structure within any District shall be razed, demolished, or moved until the razing, demolition, or moving thereof is approved by the review board [BAR], or, on appeal, by the governing body [City Council] after consultation with the review board. Virginia Code §15.2-2306(A)(2). Per City Code Chapter 34, Section 5.2.7.A.1.c., the demolition of a contributing structure requires BAR approval of a CoA.

State law also requires the City, by enacting the above, include within its Zoning Ordinance the right of the owner of a historic landmark, building, or structure to appeal to the Circuit Court for such locality from any final decision of the governing body. Virginia Code §15.2-2306(A)(3). This has been implemented in the City’s Zoning Ordinance by City Code Chapter 34, Section 5.2.7.E.1, Appeal of Decision.

According to City Code Chapter 34, Section 5.2.7.E.1.d.: “City Council will consult with the BAR and consider the written appeal, the criteria [standards for review] set forth within this Section, as applicable, and any other information, factors, or opinions it deems relevant to the application.”

Finally, per City Code Chapter 34, Division 5.2.7.E.1.f., in addition to the right of further appeal, following a denial by City Council, the property owner *will, as a matter of right, be entitled to demolish such building or structure if all of the following conditions have been met:*

- i. The owner has appealed to City Council for permission to demolish the building or structure, and City Council has denied such permission;
 - ii. The owner has, for the applicable sale period set forth herein below [per item g, see below, this period would be 12-months *], and at a price reasonably related to the fair market value of the subject property, made a bona fide offer to sell the building or structure, and the land pertaining thereto, to a person or legal entity that gives reasonable assurance that the building or structure will be preserved and restored; and
 - iii. No bona fide contract, binding upon all parties thereto, must have been executed for the sale of such landmark, building or structure, and the land pertaining thereto, prior to the expiration of the applicable sale period.
 - iv. If all of the foregoing conditions are not met within the applicable sale period, then the City Council’s decision denying a permit will stand, unless and until that decision is overturned by the Circuit Court. However, following expiration of the applicable sale period, a property owner may renew their request to the City Council to approve the demolition of the historic landmark, building or structure.
- g. The time in which a property owner may take advantage of the right to appeal, the applicable “sale period” is as follows:
- [...]
- vi. 12 months when the offering price is equal to or greater than \$90,000.00.*

* Per the City Real Estate Assessor’s Office, the structure is assessed at \$177,000. (Ref. Elizabeth Craft e-mail to Jeff Werner, April 7, 2025 3:33 PM.

Denial

**RESOLUTION OF DENIAL OF A CERTIFICATE OF APPROPRIATENESS
FOR DEMOLITION OF THE STRUCTURE AT 144 CHANCELLOR STREET**

WHEREAS, on January 22, 2025, Kevin Blair/Blair Company (“Applicant”), on behalf of Delta Zeta National Housing Corp., the owner of certain land identified within the City of Charlottesville, Virginia (“City”), real estate assessment records by Parcel Identification numbers 090109000 and currently addressed as 144 Chancellor Street (“Property”), requested a Certificate of Appropriateness (“CoA”) for the demolition of the existing, single-story, framed, former schoolhouse (“Structure”) on the Property (“Requested CoA”); and

WHEREAS, per City Code Chapter 34, Section 2.9.2.B.6., in 2003, the City established The Corner Architectural Design Control District (“ADC District”); and

WHEREAS, the Property is within the ADC District, and the Structure designated a “contributing structure” within the ADC District; therefore, per City Code Chapter 34, Section 5.2.7.A.1.c., its demolition is subject to review by the City’s Board of Architectural Review (“BAR”), and requires approval of a CoA; and

WHEREAS, on January 22, 2025, in a Motion approved 6-0, the BAR denied the Requested CoA, stating it had “considered the standards set forth within the City Code, including the ADC District Design Guidelines” and “the proposed demolition of 144 Chancellor Street [BAR #HST 25-0055] does not satisfy the BAR’s criteria and its guidelines and is not compatible with this property and other properties in The Corner ADC District” and, in its discussion and Motion, stating the reasons for denial, and;

WHEREAS, on February 5, 2025, as permitted by City Code Chapter 34, Section 5.2.7.E.1.b. and c., the Applicant appealed to City Council of the City of Charlottesville, Virginia (“City Council”), the BAR’s denial of the Requested CoA (“Appeal”); and

WHEREAS, on April 21, 2025, per City Code Chapter 34, Section 5.2.7.E.1.d., following a review of the Appeal, the Project, and the Application, and having considered relevant information and opinions, including the BAR’s determination, the City Staff Report, the City’s ADC District Design Guidelines, and the City’s standards for considering demolitions of contributing structures within ADC Districts (City Code Chapter 34, Section 5.2.7.D.1.b.), this City Council determines the requested demolition of the Structure at the Property does not satisfies the design guidelines and review criteria, and is not compatible with this Property.

NOW THEREFORE, BE IT RESOLVED by City Council that, pursuant to the reasons stated below, *inter alia*, a CoA is hereby denied for the requested demolition of the Structure at the Property:

-

	<u>Aye</u>	<u>No</u>
Oschrin	___	___
Payne	___	___
Pinkston	___	___
Snook	___	___
Wade	___	___

Approved by Council
April 21, 2025

Kyna Thomas, MMC
Clerk of Council

Approval

**RESOLUTION OF APPROVAL OF A CERTIFICATE OF APPROPRIATENESS
FOR DEMOLITION OF THE STRUCTURE AT 144 CHANCELLOR STREET**

WHEREAS, on January 22, 2025, Kevin Blair/Blair Company (“Applicant”), on behalf of Delta Zeta National Housing Corp., the owner of certain land identified within City of Charlottesville, Virginia (“City”), real estate assessment records by Parcel Identification numbers 090109000 and currently addressed as 144 Chancellor Street (“Property”), requested a Certificate of Appropriateness (“CoA”) for the demolition of the existing, single-story, framed, former schoolhouse (“Structure”) on the Property (“Requested CoA”); and

WHEREAS, per City Code Chapter 34, Section 2.9.2.B.6., in 2003, the City established The Corner Architectural Design Control District (“ADC District”); and

WHEREAS, the Property is within the ADC District, and the Structure is designated a “contributing structure” within the ADC District; therefore, per City Code Chapter 34, Section 5.2.7.A.1.c., its demolition is subject to review by the City’s Board of Architectural Review (“BAR”) and requires approval of a CoA; and

WHEREAS, on January 22, 2025, in a Motion approved 6-0, BAR denied the Requested CoA, stating it had “considered the standards set forth within the City Code, including the ADC District Design Guidelines” and “the proposed demolition of 144 Chancellor Street [BAR #HST 25-0055] does not satisfy the BAR’s criteria and its guidelines and is not compatible with this property and other properties in The Corner ADC District,” and in its discussion and Motion, stating the reasons for denial; and

WHEREAS, on February 5, 2025, as permitted by City Code Chapter 34, Section 5.2.7.E.1.b. and c., the Applicant appealed to the City Council of the City of Charlottesville, Virginia (“City Council”), the BAR’s denial of the Requested CoA (“Appeal”); and

WHEREAS, on April 21, 2025, per City Code Chapter 34, Section 5.2.7.E.1.d., following a review of the Appeal, the Project, and the Application, and having considered relevant information and opinions, including the BAR’s determination, the City Staff Report, the City’s ADC District Design Guidelines, and the City’s standards for demolitions of contributing structures within ADC Districts (City Code Chapter 34, Section 5.2.7.D.1.b.), this City Council determines the requested demolition of the Structure at the Property satisfies the design guidelines and review criteria, and is compatible with this Property.

NOW THEREFORE, BE IT RESOLVED by City Council that, pursuant to the conditions below, a CoA is hereby approved for the requested demolition of the Structure at the Property, expressly conditioned upon the occurrence of the following before issuance of a Demolition Permit:

- Building will be documented thoroughly through photographs and measured drawings according to the Historic American Building Standards, information should be retained by the City’s Department of Neighborhood Development Services and Virginia Department of Historic Resources.

	<u>Aye</u>	<u>No</u>	Approved by Council April 21, 2025
Oschrin	_____	_____	
Payne	_____	_____	
Pinkston	_____	_____	
Snook	_____	_____	
Wade	_____	_____	
			<hr/> Kyna Thomas, MMC Clerk of Council

**BAR Meeting Minutes– excerpts re: 144 Chancellor Street
City of Charlottesville
Board of Architectural Review
Regular Meeting
January 22, 2025 – 5:00 PM
Hybrid Meeting (In person at City Council Chambers & virtual via Zoom)**



Members Present: Cheri Lewis, Roger Birle, Carl Schwarz, Jerry Rosenthal, Katherin Tabony, Ron Bailey, David Timmerman

Staff Present: Patrick Cory, Kate Richardson, Jeff Werner, Kyle Ervin

New Items

Certificate of Appropriateness Application - Demolition

BAR #25-01-02

144 Chancellor Street, Tax Parcel 090109000

The Corner ADC District

Owner: Delta Zeta National Housing Corp.

Applicant: Kevin Blair

Project: Demolition of contributing structure

Jeff Werner, Staff Report – Request CoA to demolish the existing, approx. 20-ft x 56-ft, single-story, wood-framed structure.

Ms. Lewis – Do you think this is an instance of demolition by neglect? Has there been any work done since the 2010 engineering study that we got a copy of that was presented to this board in 2013?

Mr. Werner – Structurally, I cannot answer that. The building is maintained as good as you would expect. The roof and gutters are functioning. It is in rough shape. My understanding is that as it is currently, it does not serve the use of the owner. With what is proposed, I did not get into that. As it is now, it does not serve their use. Repairing it would not make that any more usable.

Kevin Blair, Applicant – Since the 1979 purchase of the entire property, including the former adjacent hotel and our main sorority house by Delta Zeta National Housing Corporation, this building has never really served any specific purpose other than occasional storage and a light source for our rear parking lot. There is a tendency by the interpretation of some that the building makes an [aesthetic] contribution to the area's collective architecture. However, we believe this should not be the sole consideration in determining its continued existence. The building does have some architectural characteristics, which are common for a structure of its age and time (circa 1905). Due to the following, its accessibility, location, amid large housing buildings, limited square footage, rudimentary earthen basement, and antiquated systems, it no longer serves the needs of our sorority, the surrounding student housing population, or University neighborhood community. At no fault of its own, it has unfortunately become an abandoned residential structure isolated within a commercial and university developed district. The previously projected cost estimate in 2013 to bring the building systems into compliance with current technology, efficiency, and structural soundness was estimated at \$625,000, which would be considerably more factoring in today's costs. These costs far exceed our value of the building in its current form and functionality. As noted in the present and former structural reports and applications, the building

has been deemed unsafe and is currently uninhabitable. We no longer have an intended use for the structure and are respectfully asking for your understanding and consideration to allow its safe demolition and removal.

Nothing to our knowledge, except for a roof, has been done. An asphalt shingle roof has been put on the building.

Ms. Lewis – You have reviewed the Martin Quarles report from 2010. It looks like the same conditions are there now. There is no doubt that there is degradation. Are you trying to demolish this by neglect? That report is 15 years old. If you are telling me that you have done no work on that bowing brick foundation wall and done nothing in this earthen foundation and other structural issues that you are citing, that works against your application for demolition. You cannot just let a building fall. We have a duty, especially with a historic building, to maintain things. You are saying that the roof is the only thing you have done in 15 years.

Mr. Blair – Our use of the structure would not warrant the cost and expense of those repairs to the building. It was part of the property when we originally bought it. It was never of any use to us.

Ms. Lewis – You said that the \$625,000 amount was from 2013, the last time you were here. Who came up with that cost?

Mr. Blair – It was Dalglish Gilpin Architects.

Ms. Lewis – I thought that report had an amount between \$275,000 and \$325,000.

Mr. Blair – It was a cumulative cost for all the systems to be upgraded in the building. It pretty much needs to be taken back to the studs.

Ms. Lewis – The structural rehab part is more than \$350,000.

Robert Krumpen, Applicant – The 2010 structural inspection report was done by Dunbar Engineering. The BAR documentation was excellent. That allowed me to go through our files. I was able to pull up the 2010 photographs and compare them with the 2024 photographs. One of the things that I was able to determine was that front stoop has dropped about an inch in that 15-year timeframe. That reinforces our previous concerns in the 2010 report and the 2024 report. That unreinforced masonry wall is bowing out. We also think it is shifting. It is also reiterating the southeast masonry pier. In the 2010 report, it has a tight gap between the seam and the infill. That was probably done later. The 2024 report shows a half-inch gap. We believe that the western masonry wall is failing and is in bad shape. We think the building is, as the result of the lateral pushing, sinking and shifting slightly to the east. There is some movement happening unassociated with the building in that 14-15-year timeframe. It was interesting for us to do a comparison and contrast. These are 2 data points for us to do a comparison.

Questions From The Public

No Questions from the Public

Questions From The Board

Mr. Birle – Everything above the foundation is sill plate. What is the condition of that?

Mr. Krumpen – For the wood-frame part of the structure, there are some localized damage, dry rot. There are some areas, especially at the connections with the masonry piers, that are damaged. A fair amount of the floor system looks to be in pretty good shape. The sill plates are damaged in localized areas. It did appear that there probably is some localized damage to the wood structure. The major structural implication is the foundation.

Mr. Birle – The sill plate is typical of a turn of the century house.

Mr. Timmerman – When you were looking at this, were there any alternate solutions that you began to think about as far as how to alleviate the structural situation with the foundation?

Mr. Krumpen – The biggest challenge is that the wall has failed to an extent that I cannot reinforce it. To do a competent repair, you must dig out that wall and install a more modern foundation in it like a concrete retaining wall to make it stable. It is the front, west wall. That is where the stoop sat. That part is the most damaged. The northern part of the structure looks better. There are some shifts on that. It looks like the southern part is experiencing the most movement and has the most issues associated with it. It is the southwestern wall. With the pier, that is the southeastern side. Those 2 are showing the most degradation.

Ms. Tabney – When was the roof replaced?

Mr. Blair – I believe that it was 12 or 13 years ago.

COMMENTS FROM THE PUBLIC

No Comments from the Public

COMMENTS FROM THE BOARD

Mr. Timmerman read Mr. Zehmer's comments into the record – I visited this site with Me. Werner, Ms. Richardson, Mr. Timmerman, and Ms. Tabney. The owner's rep showed us around the building including the crawl basement space. I agree that there are areas of structural concern. However, this property is not beyond repair. The recommendation in the structural engineer's report to rebuild the brick foundation wall is a good recommendation. However, it is not the only solution. If cost is a concern, some 2-by pressured treated lumber could be used to construct bracing to stabilize this wall and prevent further movement. The sentiment that the CMU infill needs to be connected to the sill plate is incorrect. The brick piers are holding up the building. The CMU infill is just that. It is infill. Although our purview is typically limited to the exterior of the building, I think that when a CoA for demolition is submitted, the owner has invited the BAR into the building. It is worth noting that the interiors still retain much of their original finishes, including doors, fireplace mantle, window trim, plaster, and wood floors, this helps argue for preservation of the building. The original wood siding is still extent underneath the medal siding. I would not be able to support of the CoA. The applicant is pursuing demolition by neglect. We cannot support or reward this approach to the maintenance of the contributing buildings in a historic district.

Ms. Lewis – Mr. Blair notes that he wants us to focus on other factors, recognizing that it is an older building. He would like for us to look at factors, such as the accessibility of the building, its

location. It is currently amid many larger housing buildings on Chancellor. He is also probably referring to across the tracks and nearby, the limited square footage of the building, the earthen basement, antiquated systems, the fact that it no longer serves the needs of the owner (been the owner since 1979). He cites that it is basically an abandoned residential structure in a commercial university, a district that has become developed around it. He cites the cost. I don't see that in 2013 or this year where we have had a contractor put numbers on that. These are guesses. They are guesses by qualified engineers. We did not get any numbers this time. The ones cited by the architect firm the last time would be that plus inflation with 12 to 15 years. Cost is not one of the factors that we consider. For the applicant and public information, we are beholden to look at the guidelines for demolition. They are cited in Chapter 34. I am citing to the old code because we don't have references. The new code has not been codified. It is section f.2.5.2.7.1b. Factor we are supposed to consider are the historic architectural cultural significance of the structure or property including without limitation, the age or structure of the property, whether it has been designated nationally or statewide. This building is a contributing structure in The Rugby Road University Corner Historic District. It is noted on the National Register listing. The third factor is the extent the building or structure is associated with a historic person, architect, master craftsman, and historic event. We don't know of any. Whether the building or structure or any of the features represents an infrequent or first or last remaining example within the city of a particular architectural style or feature. Staff notes that the building is an unusual building type. We probably don't have any other 1-story school buildings. They are existent wood school buildings that are existent at all in the city. It might be the last remaining example of that type of building. The 5th factor is whether the building or structures of such older distinctive design texture or material that it could not be reproduced or could only be reproduced with great difficulty. Nobody think this building could be reproduced because of the antiquated features of it. You could reproduce it with new materials. It might look a little alike. The degree to which distinguishing characteristics, qualities, features, or materials remain. It has been noted that many of them do remain because, so little has been done by these owners who have owned it for 45 years. It is like it was when they bought it. We consider whether and to what extent contributing the structure is linked historically or aesthetically to other buildings and structures within the district or is one of a group of properties. It has been noted by staff that this is linked with the history of the university. This area being a residential district and a residential place for staff and other people that were associated with the university and might have schooled their children. The overall condition and structural integrity of the building as indicated by studies prepared by an engineer, whether the applicant proposes means, methods, or plans for moving, removing, or demolishing the property that preserves portions, features or materials that are significant to the property's historic, architectural, or cultural value. What the applicant has proposed is to raze it and maintaining none of those elements and any other applicable provisions of our design guidelines. We are bound by that. Many of those might be subjective. Many of them are easy to answer. Those are how we consider this question. I wish that this sorority would use this building, come back to us with a partial demolition, and use some of the space in the remaining parcel. There is a little bit of space in the back to add onto this building and add new life and certainly bring it a new purpose for the sorority. I cannot approve a whole demolition. I am concerned that this owner has owned this building since 1979 and not have done anything in 45 years to a building that is quite unique in the city.

Mr. Werner – The design guidelines for demolitions refer to the old code section, which has been superseded by the new code. In the staff report, the criteria are there for reviewing decisions related to demolitions from the current ordinance. Under that are the guidelines from the ADC

District Design Guidelines. That is where the reference is to the old code. I have included both in there. Both are similar. There is no code conflict.

Mr. Timmerman – It is important to draw distinction between the idea of an individual's purpose for a building or just a more generic purpose for a building and what our intentions are here. I hope that helps clarify.

I would like to augment a certain perspective. I will start with reading the introduction to the ADC District Design Guidelines. In the introduction, it broadly states that historic buildings are irreplaceable community assets. Once they are gone, they are gone forever. With each successive demolition or removal, the integrity of a historic district is further eroded. Therefore, the demolition or removing any contributing building in a historic district should be considered carefully. That is significant in this case. When I arrived on the site, I appreciated the time you spent with us and walking us through. I appreciate the structural report. I appreciate what you said earlier and your presentation. All of it was respectful. It makes a lot of sense. When I arrived on the site, I noticed was the building itself and the structural issues. I noticed how well intact it was. Even with the siding that is on it, you can almost feel the history of it in the form of the building. You could imagine it the way it used to be. I looked up and down the street. It is on a street that has a consistent fabric. It has not been interrupted unlike many of the areas surrounding the university. That was significant to me; not only the building being within reach but also the continuity of the street. When you walk down the street, it is a great experience. You are not walking on a street like Wertland where it is marked by developments that are out of scale and out of range of the historic district that it embodies. An important thing to consider here is its location within the greater context of the street. That is an important thing to consider. It is an important asset in our community. These are the kinds of things that we are all impassioned to try to protect or to uphold. Everyone on the BAR has that mission whether they agree with this situation or not. I agree with Mr. Zehmer's recommendations regarding the structural. While there is a serious structural issue, I wonder if there isn't a more creative approach. When I was in the crawl space, it was clear that front retaining wall is failing because it is a brick wall. It is retaining soils that had been left exposed. Something has changed. As you mentioned, there has been a significant tilting of it in the last 10 years. Are there other ways of dealing with this kind of situation? Is there a solution for infilling part of the crawl space to encase that foundation? Is there a way to encase that wall so that you relieve yourself of the expense of jacking the building up and putting in a new wall? Given that the building is intact and given that the structure is not beyond repair, I suspect there are ways of dealing with it. I would not be willing to approve the demolition. It is an important part of the fabric of the community around the University.

Mr. Schwarz – I agree with what my colleagues are saying. I feel for you guys. Unfortunately, you need to go through the process. It sounds like we are going to deny this. Out duty on this board is to not let you demolish it. Unfortunately, you are right. You are right it probably has served its use in the neighborhood. You can take it to Council and appeal. If they deny it, you can put it on the market for a year. If nobody buys it, you tear it down. Ideally what would happen is that some student group or someone sees it as a community space, sees the value in it as a historic school building, that would be the dream. We can hope that happens. We need to allow that process to take place. Fortunately, with our updated zoning code, there is no minimum lot size. You can sever your lot and sell this portion. You probably should have gone through that process in 2013. You need to go through the process of seeing if somebody can buy it and somebody else can take care of it.

Mr. Birle – The fact that this is a contributing structure according to the VDHR (Virginia Department of Historic Resources). What we are hearing from people who have seen it, from the report, and everything from the sill plate up is in decent shape. The bar for demolition would have to be much higher than that. We need to protect buildings like this.

Mr. Werner – I have talked a lot with Mr. Blair. I was very candid with him that the BAR's responsibility is the historic resource. There is a process of appeal. It must occur within 10 business days of your action. That would be February 5th. The practice has been that an appeal is presented in writing. It is not a hold to come and have a discussion later. The appellant must make the case of the grounds for the appeal and including anything where the BAR might have misapplied the standards. There is a \$100 fee for an appeal to a BAR decision. It is part of the process. Too often in the appeals, it has been viewed as a rebuke of the BAR. The BAR is doing its job. The process allows Council to review it. In the ordinance, Council may consider any additional information, factors, or opinions that they deem relevant to the application. Whereas you are constrained by the guidelines and the criteria of the new ordinance, Council can consider other things. That is what the process was designed for. They are the elected officials. I want to be clear that it is going to Council. The applicant has an opportunity to make their case. There is an opportunity for a valid statement.

Mr. Timmerman – It shows that we feel strongly about the significance of the building. We are not trying to be on a soap box. Maybe counter to what Mr. Schwarz is saying is that there is an option. I don't know how feasible it is. My hope is that the sorority find a purpose. You said that there is no purpose for it. Often with buildings, spaces, structures, it is not so much to have the purpose. It is finding the purpose. There might be an opportunity.

Mr. Werner – We have referred a couple of times to a contributing structure. You have purview over locally designated historic districts and locally designated properties. Per our code, anything that is considered a contributing structure, you have purview over the demolition review. In the review criteria for demolitions, we refer to contributing structure into the state and national register districts-the Virginia Landmarks Register and the National Register of Historic Places. This school is a contributing structure to that National Register District. That is not what causes you to have the purview over the demolition. It is part of the consideration. It is state and national significance.

Motion to Deny – Mr. Timmerman – Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed demolition of 144 Chancellor Street does not satisfy the BAR's criteria and its guidelines and is not compatible with this property and other properties in The Corner ADC District for the following reasons:

- The cultural significance of the historic building and the street on which it is located.
- Its relatively extant condition.
- It is an extant example of this vernacular period.

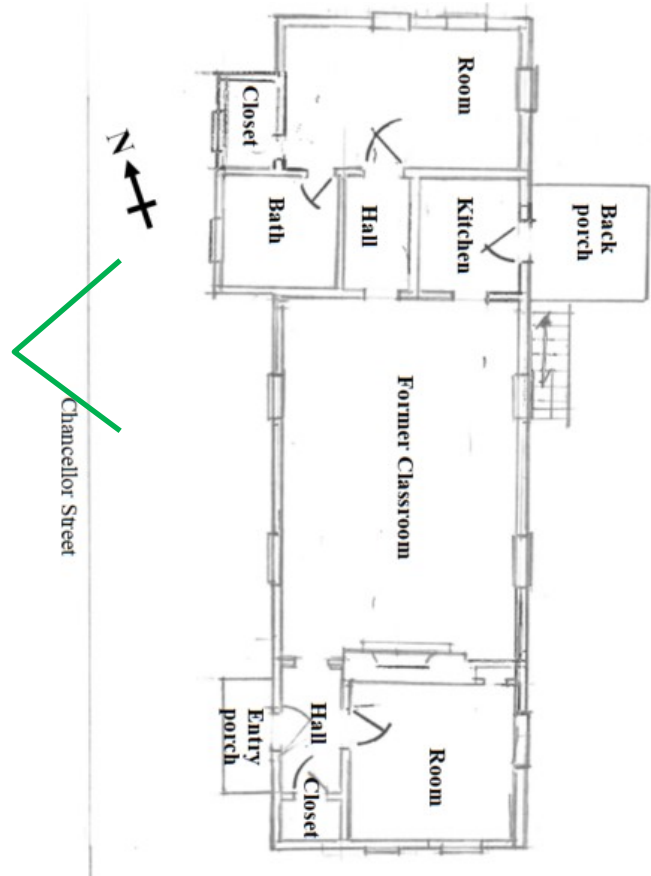
The BAR denies the application as submitted. Second by Ms. Lewis. Motion passes 6-0 with one Abstention (Mr. Bailey).



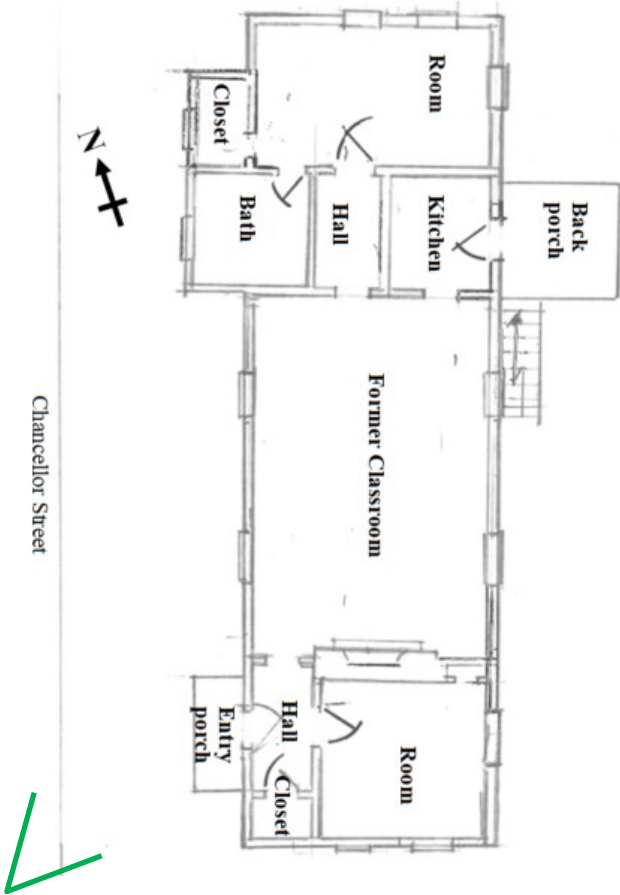
1980 (NDS)



1996 (NDS)



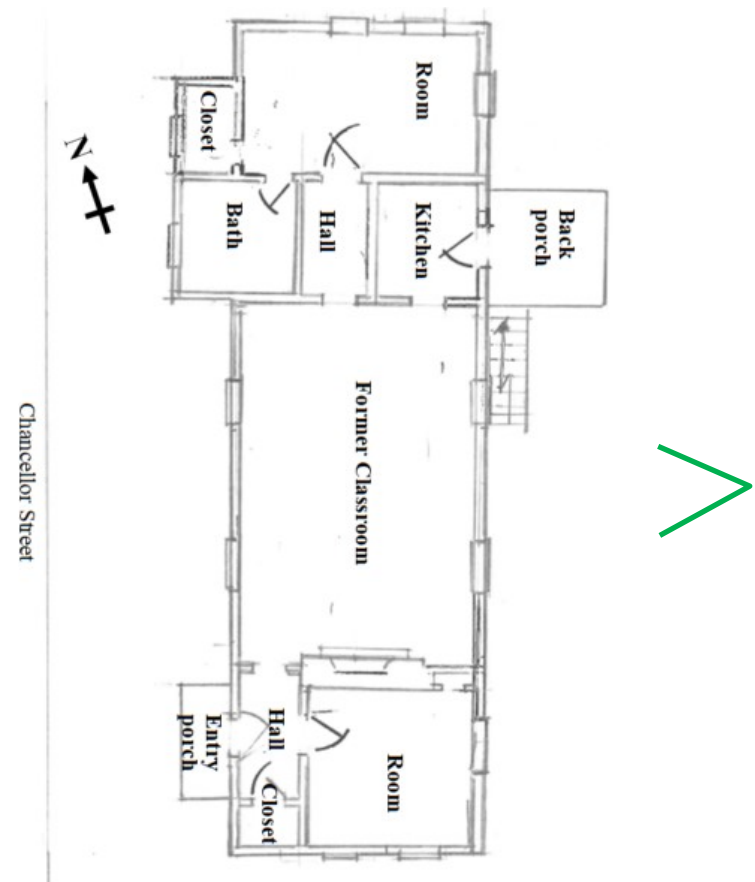
2023 (Google Street View)



1996 (NDS)



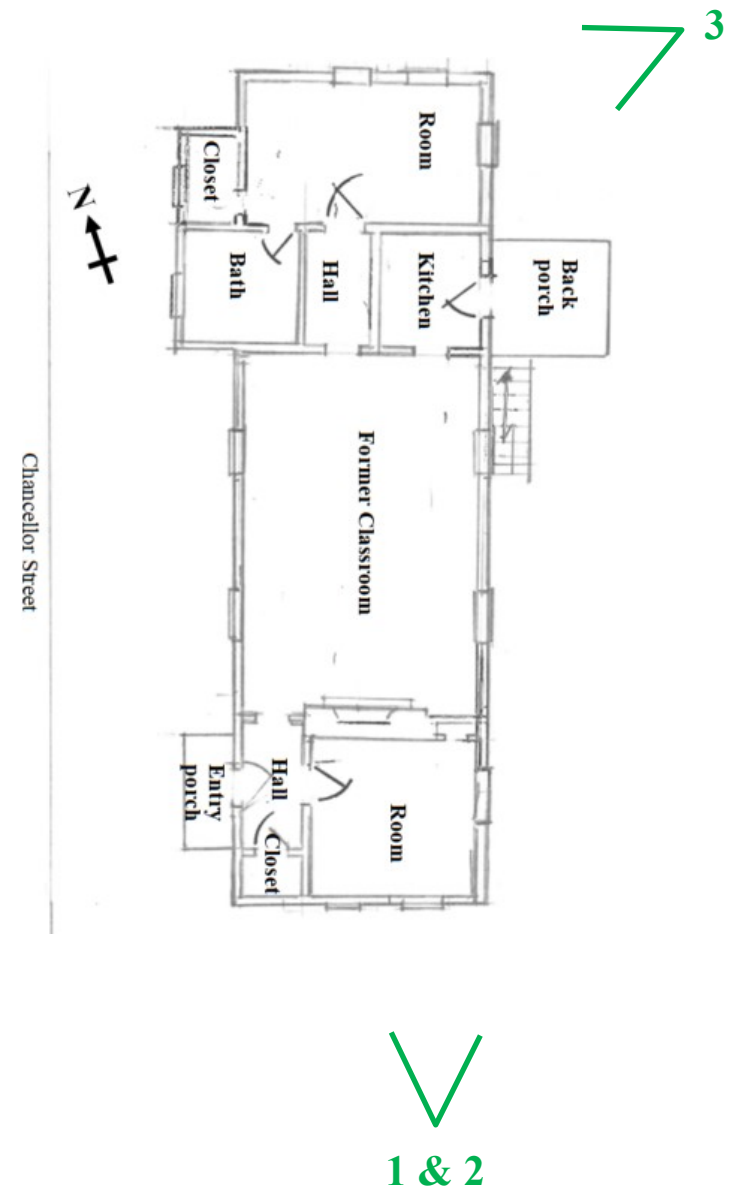
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2025 (applicant photo)



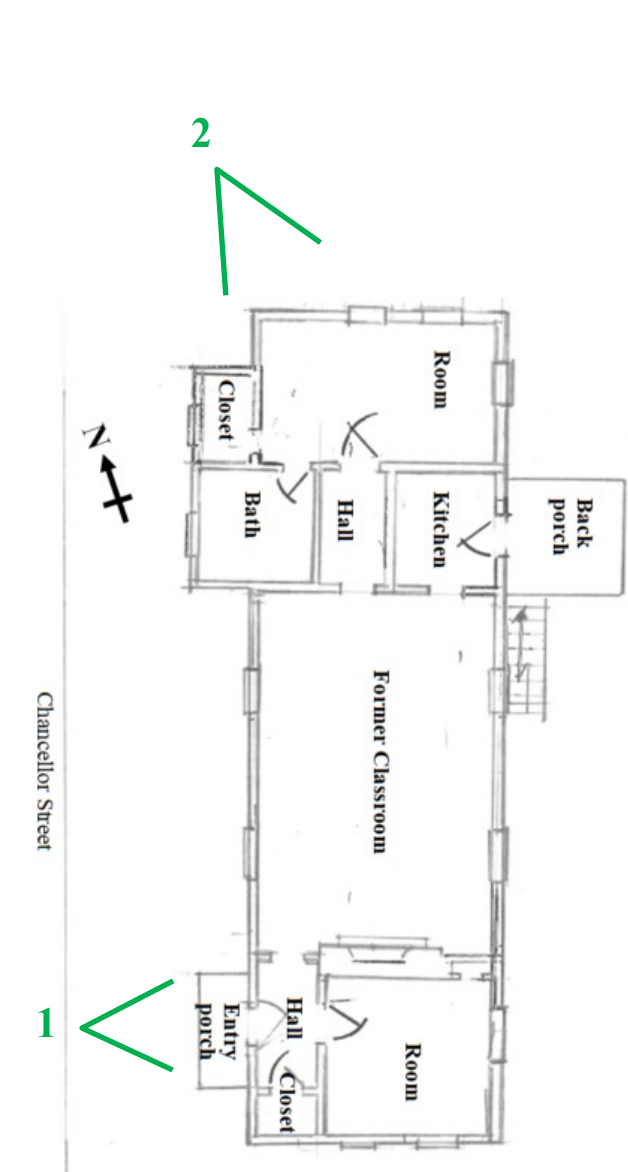
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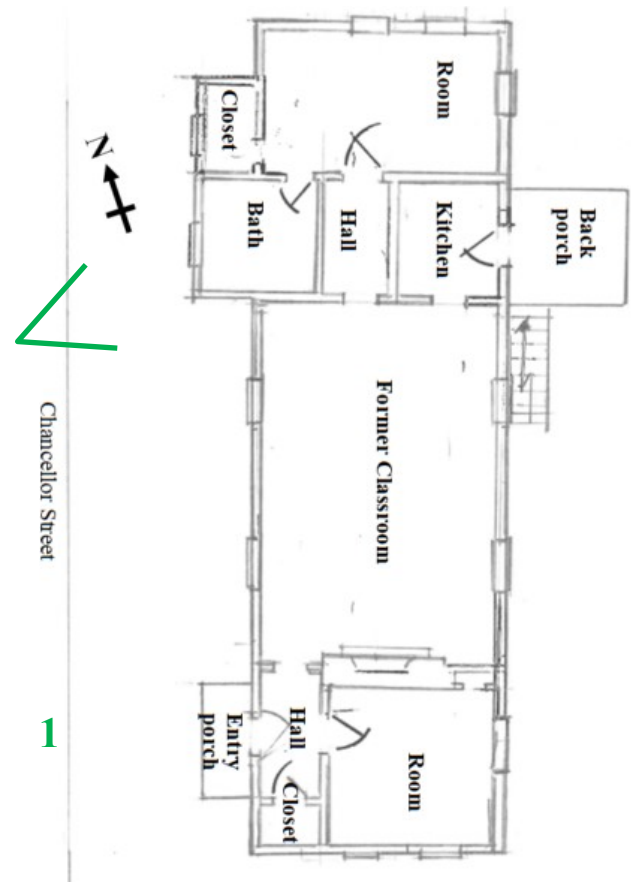


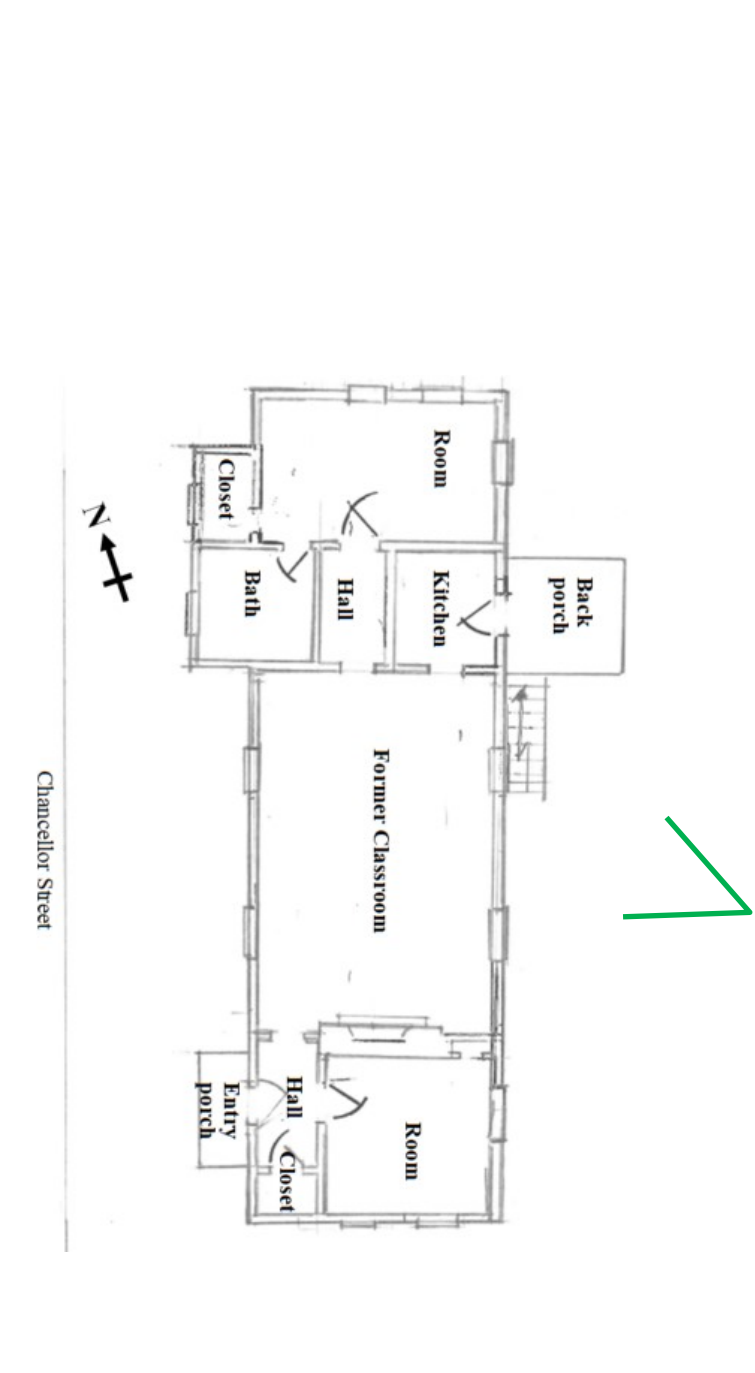
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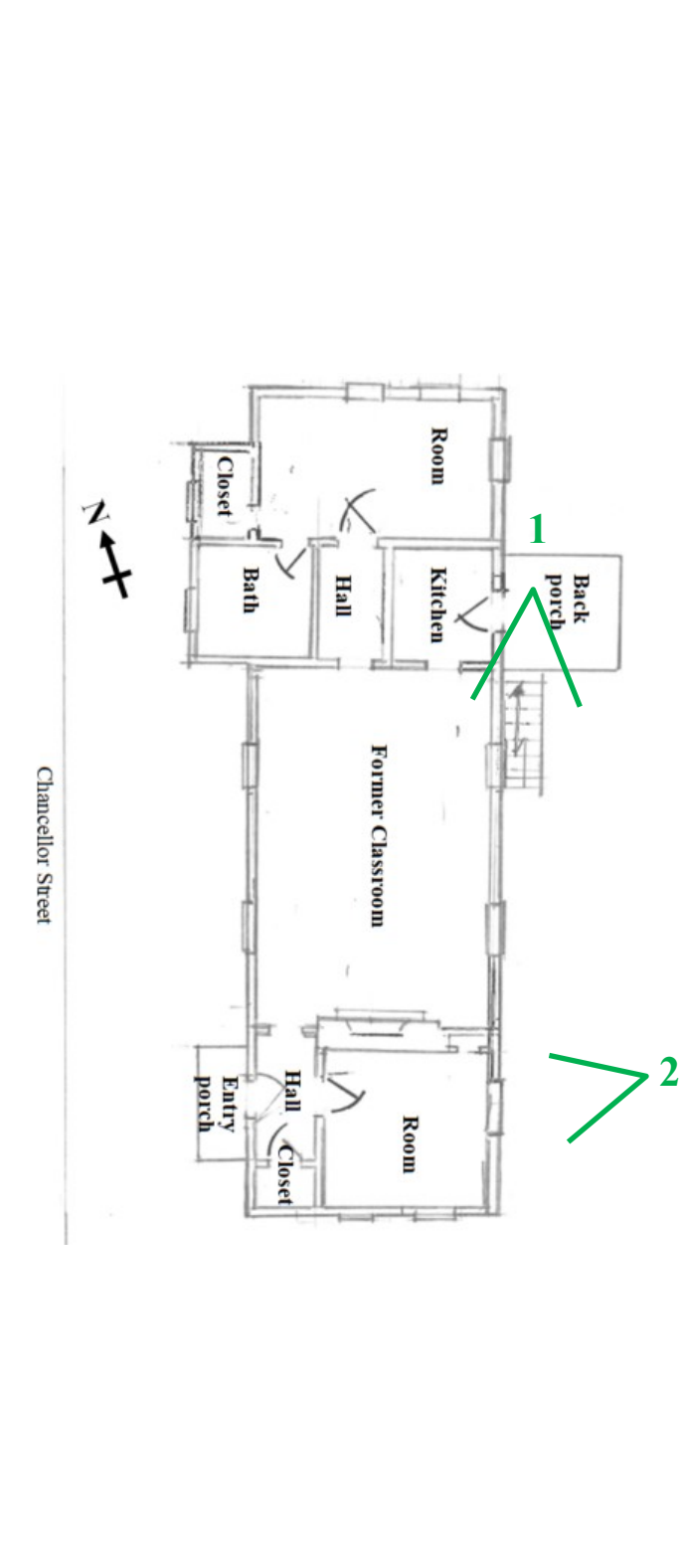


2 2025 (applicant photo)





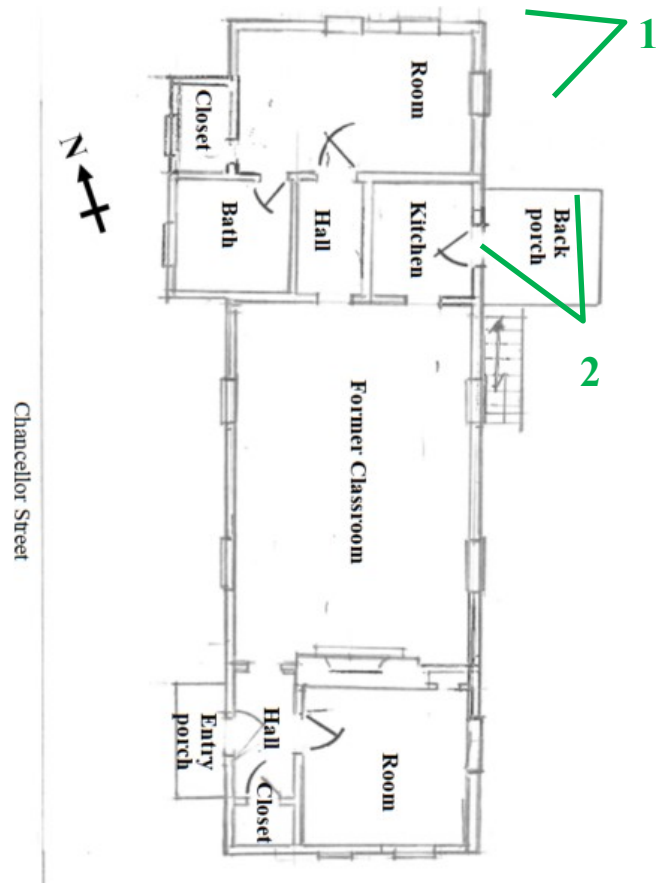


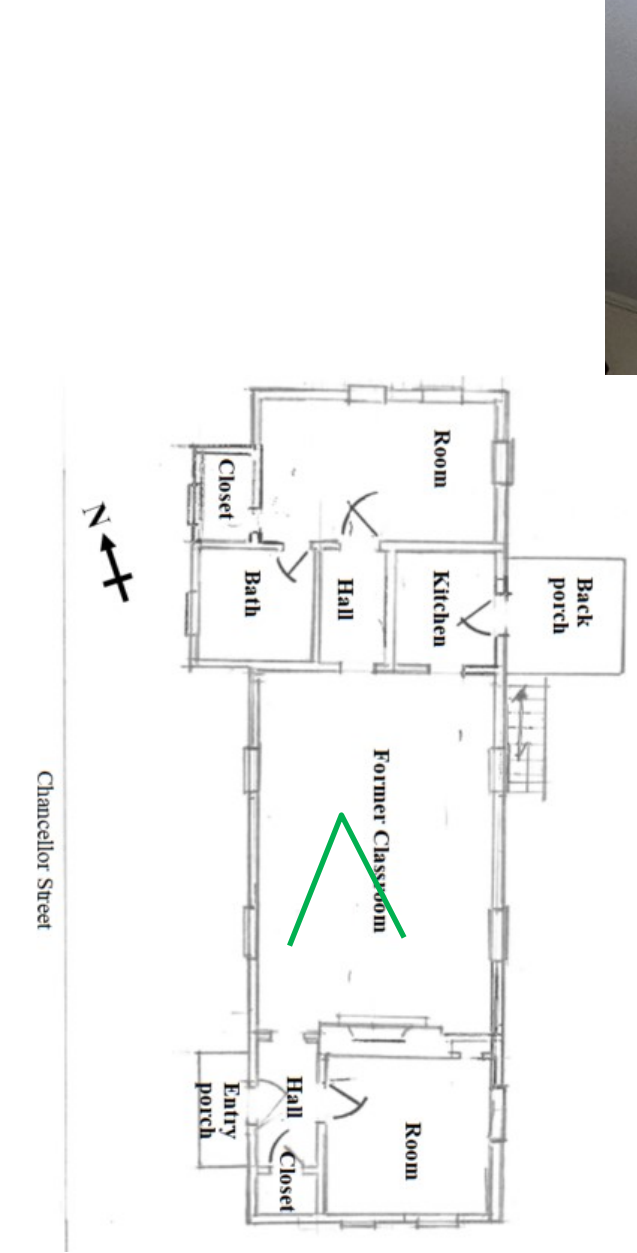


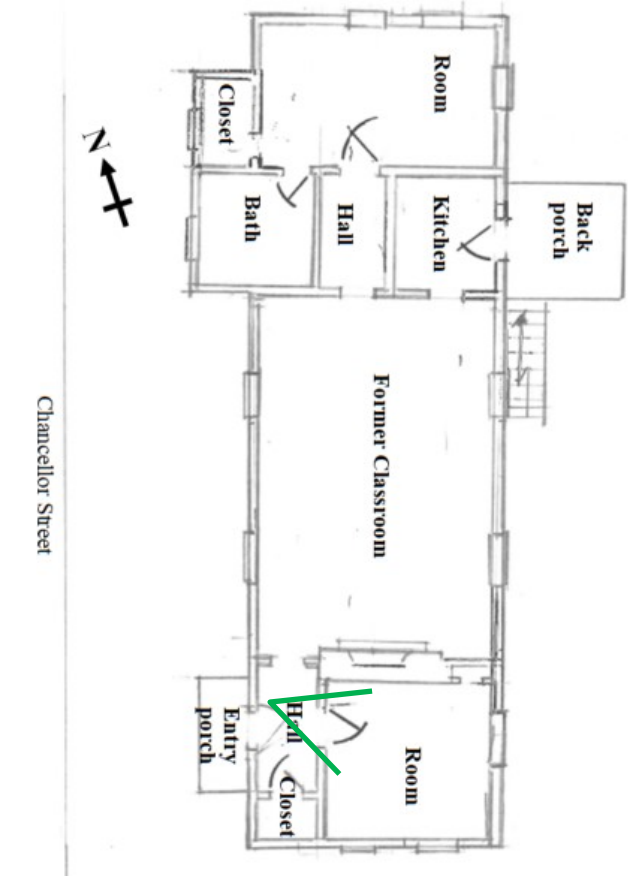
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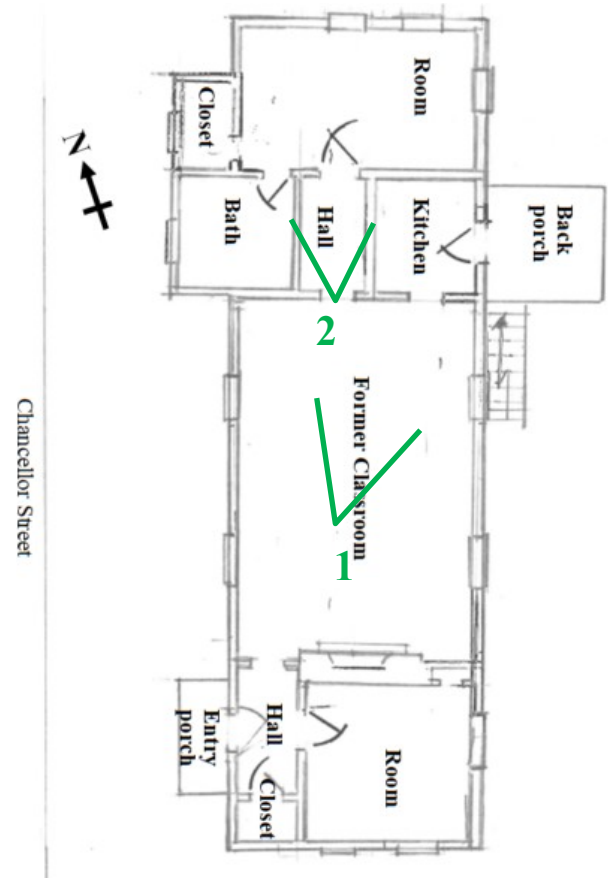


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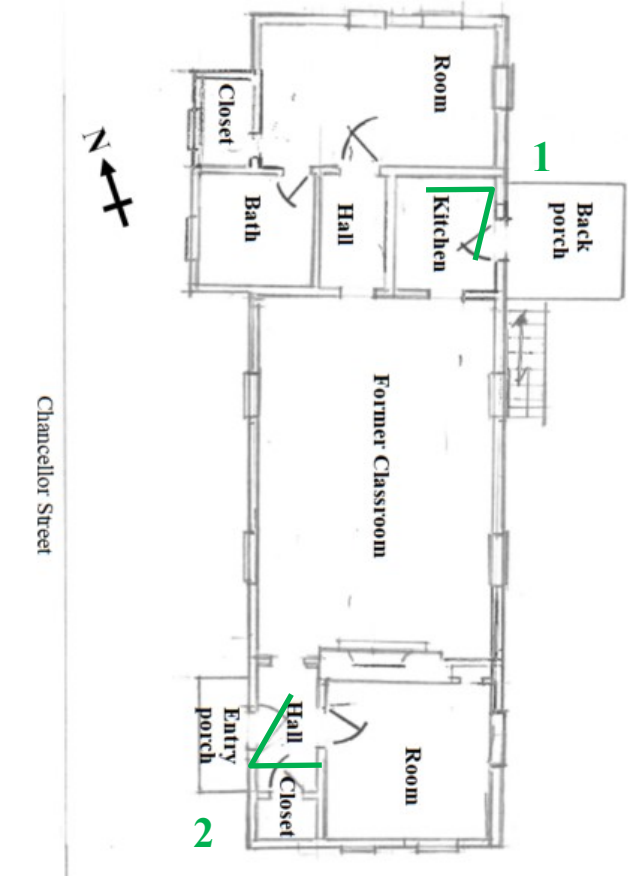




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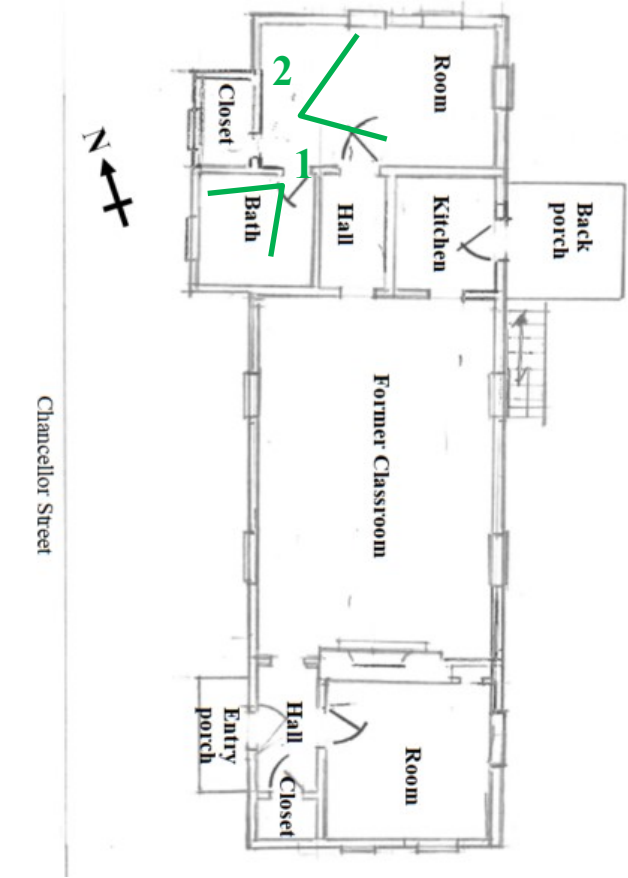
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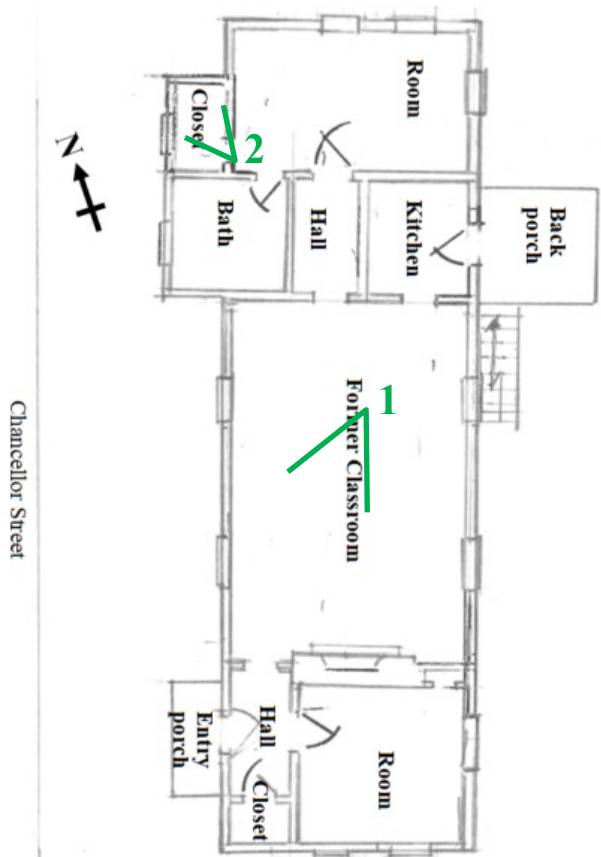
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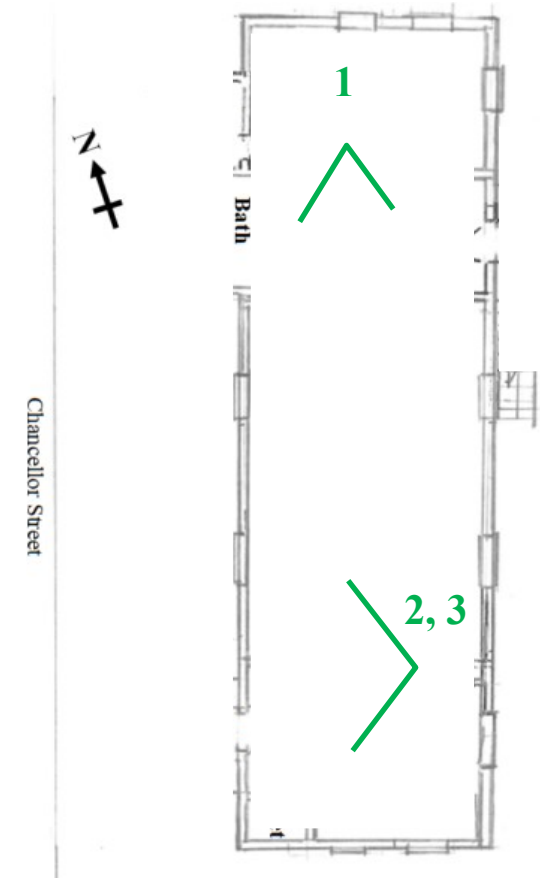


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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	May 5, 2025
Action Required:	Public Hearing
Presenter:	Michael Goddard, Deputy Director
Staff Contacts:	Lee Cooper Steven Hicks, Director of Public Works
Title:	Public Hearing regarding Exercise of Eminent Domain for the acquisition of right-of-way and easements in service to the East High Streetscape Project and the Barracks Emmet Streetscape Project

Background

This item concerns land acquisitions in service of the following two Projects the City of Charlottesville, Virginia ("City"), is performing in collaboration with the Virginia Department of Transportation:

The East High Streetscape Project includes ADA and pedestrian improvements, wider sidewalks, bike lanes, landscaping, along with upgrades to intersections for better accessibility. The East High Project will also improve stormwater management, traffic signals, and signage, as well as the undergrounding of overhead utilities.

The Barracks Emmet Streetscape Project will implement bike/pedestrian/vehicular improvements at the intersection of Barracks and Emmett Street. The Barracks Emmet Project will also install a 6' path extending up Barracks Road from the intersection to right past the Buckingham Road intersection.

Information regarding the Projects can be found at <https://www.charlottesville.gov/616/Transportation-and-Mobility>

The City's right-of-way acquisition consultant has been successful in acquiring right-of-way and easements from 19 of the 26 property owners impacted by the Projects. The City's consultant has been unable to reach agreement with several landowners, and recommends eminent domain to allow utility relocation to take place in advance of the road improvement Projects.

Discussion

Main Agenda Item:

- a. Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements: Parcel 002 identified as Barracks Row, LLC, Tax Parcel No. 400002100
- b. Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements: Parcel 007 identified as Fenwick, Trustee Valentine Land Trust, Tax Parcel No. 530261000.

- c. Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements: Parcel 011 identified as Matthew J. Gerber, Tax Parcel No. 020007000.
- d. Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements: Parcel 016 identified as Nine Twelve Land Company, LLC, Tax Parcel No. 53027100.
- e. Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements: Parcel 015 identified as Nine Ten Land company, LLC, Tax Parcel No. 530270000.

Alignment with City Council's Vision and Strategic Plan

These projects support the Transportation strategic outcome area.

Community Engagement

N/A

Budgetary Impact

The anticipated condemnation costs are part of the overall Projects budgets, and will be paid from the City's Capital Improvement Fund.

Recommendation

City Staff recommends that City Council authorize the exercise of eminent domain, including the filing of a Certificate of Deposit, for the acquisition of right-of-way and easements for the Projects.

Alternatives

Attachments

1. Barracks Emmet Streetscape Project
2. East High Streetscape Project

Barrack Emmet Description:

The Barracks Emmet Streetscape Project will implement Bike/Ped/Vehicular improvements at the intersection of Barracks and Emmett Street.

The project will also install a 6' path extending up Barracks Road from the intersection to right past the Buckingham Road intersection.

Photo:



Project Description:

East High Streetscape project includes ADA and pedestrian improvements, wider sidewalks, bike lanes, landscaping along with upgrades to intersections for better accessibility. The project will also improve stormwater management, traffic signals, and signage. Plus, undergrounding the overhead utilities.

Photo:



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



Agenda Date:	May 5, 2025
Action Required:	Resolution approval
Presenter:	Michael Goddard, Deputy Director, Steven Hicks, Director of Public Works
Staff Contacts:	Lee Cooper
Title:	Resolution to Approve Exercise of Eminent Domain for the Acquisition of Right-of-Way and Easements in Service to the East High Streetscape Project and the Barracks Emmet Streetscape Project

Background

This item concerns the following land acquisitions in service of 2 Projects the City of Charlottesville, Virginia ("City"), is performing in collaboration with the Virginia Department of Transportation ("VDOT"):

The East High Streetscape Project includes ADA and pedestrian improvements, wider sidewalks, bike lanes, landscaping, along with upgrades to intersections for better accessibility. The East High Project will also improve stormwater management, traffic signals, and signage, as well as the undergrounding of overhead utilities.

The Barracks Emmet Streetscape Project will implement bike/pedestrian/vehicular improvements at the intersection of Barracks and Emmett Street. The Barracks Emmet Project will also install a 6' path extending up Barracks Road from the intersection to right past the Buckingham Road intersection.

The City's right-of-way acquisition consultant has been successful in acquiring right-of-way and easements from 19 of the 26 property owners impacted by the aforementioned Projects. The City's consultant has been unable to reach agreement with several landowners, and recommends eminent domain to allow utility relocation to take place in advance of the road improvement Projects.

The impacted properties are as follows:

- a. Parcel 002, identified as Barracks Row, LLC, Tax Parcel No. 400002100;
- b. Parcel 007, identified as Fenwick, Trustee Valentine Land Trust, Tax Parcel No. 530261000;
- c. ~~Parcel 011, identified as Matthew J. Gerber, Tax Parcel No. 020007000;~~
- d. Parcel 016, identified as Nine Twelve Land Company, LLC, Tax Parcel No. 53027100; and
- e. Parcel 015, identified as Nine Ten Land company, LLC, Tax Parcel No. 530270000.

Discussion

If the City proceeds with eminent domain, a Certificate of Deposit ("COD") will be filed with the City's Circuit Court, which will allow the City to enter and use the right-of-way and easements, so the Projects can proceed without delay. The City will then be obligated to purchase the right-of-way and a temporary construction easement from the property owner.

Alignment with City Council's Vision and Strategic Plan

N/A

Community Engagement

N/A

Budgetary Impact

The anticipated condemnation costs are part of the overall Projects Budget, and will be paid for from the City's Capital Improvement Fund.

Recommendation

City Staff recommends that City Council adopt the attached Resolution authorizing the exercise of eminent domain, including the filing of a COD, for the acquisition of right-of-way and easements for the Projects.

Alternatives

Attachments

1. RES. ACQUISITION FOR PUBLIC PURPOSES - dw (1)
2. Barracks Emmet Streetscape Project
3. East High Streetscape Project

**A RESOLUTION AUTHORIZING THE ACQUISITION FOR PUBLIC PURPOSES BY
PURCHASE OR CONDEMNATION OF REAL PROPERTY FOR THE BARRACKS
ROAD AND EMMET STREETSCAPE PROJECT AND THE EAST HIGH
STREETSCAPE PROJECT**

WHEREAS, the City of Charlottesville, Virginia (“City”), has obtained approval to construct the Barracks Road and Emmet Streetscape Project and the East High Streetscape Project within the City that will provide intersection improvements along with sidewalk improvements for its citizens (“Projects”); and

WHEREAS, the providing of safe roadways and pedestrian access is a public purpose for which the City is authorized to enter upon and take possession of property before the conclusion of condemnation proceedings, including the procedures in Chapter 3, § 25.1-300 *et seq.*, of Title 25.1 of the Code of Virginia, 1950, as amended (“Virginia Code”); and

WHEREAS, pursuant to Virginia Code §§ 15.2-1901, 15.2-1901.1, 15.2-1902, 15.2-1903, and 15.2-1904, the City is authorized to acquire by condemnation necessary land to permit the construction and maintenance of the proposed road improvement to provide safer roadways to City residents, and the City is vested with the power of eminent domain for the acquisition of land for the purposes of such public use; and

WHEREAS, the City Council of the City of Charlottesville, Virginia (“City Council”), finds that it is necessary to obtain certain properties, listed and attached hereto (“Properties”), which are in the City, to be used for the construction of the Projects; and

WHEREAS, the City has made a *bona fide* but ineffectual effort to purchase the Properties from the owner of the Properties (“Owners”) hereto attached, having previously established the just compensation therefor and having promptly offered in writing to pay the same to the Owners, which offer was rejected; and

WHEREAS, the City has made every reasonable effort to acquire the Properties by negotiation; and

WHEREAS, a Public Hearing on the subject matter of this Resolution was duly held on May 5, 2025, as required by Virginia Code §§ 15.2-1903 and -1905(C), at which City Council declared its intent to enter and take the Properties for the purposes of /to the citizens of the City, an inherently public use under Virginia Code § 15.2-1904(A); and

WHEREAS, the compensation offered to the Owners by the City for the Properties is in accordance with the City’s determination of just compensation.

NOW THEREFORE, BE IT OFFICIALLY RESOLVED, that, after due consideration, that City hereby approves and adopts the following resolutions; and

BE IT FURTHER RESOLVED, that the construction, operation and maintenance of the Projects are approved as a critical public use, necessary to ensure the health, safety, and welfare of the members of the public served by the City; and

BE IT FURTHER RESOLVED, that the acquisition of the Properties by purchase, condemnation, or other means, free and clear of any and all liens, judgments, deeds of trust, leases, or other conflicting encumbrances, is approved, such acquisition being necessary for the construction of the Projects; and

BE IT FURTHER RESOLVED, that the Properties will be used by the City for the Projects in furtherance of its public and governmental functions pursuant to the Virginia Code, and that the acquisition of the Properties are for road improvements, which is a public use pursuant to Virginia Code §§ 1-219.1(A)(i) and (D)(iii); that no more private property is being taken, than that which is necessary to achieve the public use intended by and for the road improvements; and that this Resolution otherwise complies with Virginia Code § 1-219.1; and

BE IT FURTHER RESOLVED, that the City previously has made *bona fide* efforts to acquire the Properties from the Owner(s), but, to date, those efforts have been ineffectual; and

BE IF FURTHER RESOLVED, that the City does hereby authorize its City Manager, Deputy City Manager, City Project Manager, City Staff, and the City Attorney, respectively, to take all actions for and on behalf of the City, which are or may be appropriate or necessary for the City to acquire the Properties through the exercise of its power of eminent domain, including, but not limited to, any actions or proceedings necessary to achieve the transfer of defeasible title by Certificate of Take, pursuant to the procedure established in Chapter 3, § 25.1-300 et seq., Title 25.1 of the Virginia Code; the filing of any papers or pleadings with the Circuit Court of City of Charlottesville, Virginia; and other actions related to the initiation of any legal proceedings necessary or appropriate to acquire the Properties by eminent domain, provided, however, that nothing in this Resolution shall be construed as preventing the continued negotiation by the City Manager, Deputy City Manager, City Project Manager, City Staff, and/or the City Attorney for the acquisition by purchase or other means of the Properties, before the initiation of any such eminent domain proceedings; and

BE IT FURTHER RESOLVED, that City Council authorizes the payment into the Court or to the Clerk thereof, for the Owner(s)' benefit, or the issuance of a Certificate of Deposit in lieu of payment pursuant to Virginia Code §§ 15.2-1904(D) and 25.1-305(A)(2), to be issued by the City Manager, or his designee, and countersigned by the City's Finance Director for availability of funds; and

BE IT FURTHER RESOLVED, that all the actions taken by the City Manager, City Finance Director, City Project Manager, City Staff, and the City Attorney in connection with this matter are hereby ratified and confirmed; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately; and

BE IF FINALLY RESOLVED, that a copy of this Resolution be filed with the papers of this Meeting.

ADOPTED this ____ day of May 2025.

Mayor, City of Charlottesville

Attest:

Clerk, City of Charlottesville

EMINENT DOMAIN FOR BARRACKS AND EMMET STREETSCAPE PROJECT,
PARCEL LIST

Parcel 002 identified as Barracks Row, LLC, Tax Parcel No. 400002100

- Acquisition area: 1,328 SF in permanent public street easement, and 214 SF in temporary easement need to be acquired.
- Offer amount: \$85,640.00

Parcel 011 identified as Matthew J. Gerber, Tax Parcel No. 020007000

- Acquisition area: 149.17 SF in fee right of way, 226.52 SF in prescriptive right of way, and 77 SF in temporary easement need to be acquired.
- Offer amount: \$3,667.00

EMINENT DOMAIN FOR THE EAST HIGH STREETSCAPE PROJECT

Parcel 007 identified as Fenwick, Trustee Valentine Land Trust, Tax Parcel No. 530261000

- Acquisition area: 58 SF in fee acquisition, and 1,167 SF in temporary and grading easement need to be acquired.
- Offer amount: \$16,255.00

Parcel 015 identified as Nine Ten Land company, LLC, Tax Parcel No. 530270000

- Acquisition area: 81 SF in fee acquisition, 441 SF in temporary and grading easement and 510 in permanent utility easement needing to be acquired.
- Offer amount: \$22,300.00

Parcel 016 identified as Nine Twelve Land Company, LLC, Tax Parcel No. 530271000

- Acquisition area: 506 SF in temporary and grading easement needing to be acquired.
- Offer amount: \$5,330.00

Barrack Emmet Description:

The Barracks Emmet Streetscape Project will implement Bike/Ped/Vehicular improvements at the intersection of Barracks and Emmett Street.

The project will also install a 6' path extending up Barracks Road from the intersection to right past the Buckingham Road intersection.

Photo:



Project Description:

East High Streetscape project includes ADA and pedestrian improvements, wider sidewalks, bike lanes, landscaping along with upgrades to intersections for better accessibility. The project will also improve stormwater management, traffic signals, and signage. Plus, undergrounding the overhead utilities.

Photo:



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



Agenda Date:	May 5, 2025
Action Required:	Resolution Adoption
Presenter:	Tray Biasioli, Climate Program Specialist
Staff Contacts:	Kristel Riddervold, Director of the Office of Sustainability Garland Williams, Director of Transit
Title:	Public Hearing and Resolution Authorizing a Right-of-Way Agreement with Dominion Energy for 1505 Avon Street Extended

Background

Virginia Electric and Power Company ("Dominion Energy") has requested the City to grant a fifteen (15) foot easement across City-owned parcel 077E1-00-00-00100 (1505 Avon Street Extended) for the purpose of transmitting and distributing electrical power to electric charging infrastructure designated to be used by City-owned electric school buses ("ESBs").

Discussion

In May 2024, the City of Charlottesville, Virginia ("City"), was notified that its Application to the EPA Clean School Bus Rebate Program had been successful. The two (2) awarded rebates will be used to support the purchase of two (2) ESBs by Charlottesville Area Transit ("CAT"). Operating ESBs requires specific electric charging infrastructure.

Dominion Energy offers a no-cost solution to help school districts that receive EPA funding. The offering includes utility coordination, grid upgrades, construction, and charger installation.

Office of Sustainability (OOS) Staff and CAT Staff have coordinated with Dominion Energy on the logistics of the electric charging infrastructure that will be designed, installed, owned, and operated by Dominion Energy. A Right of Way Agreement ("Agreement") to support this infrastructure is needed. OOS and Pupil Transportation Staff have worked with Dominion Energy to verify the location, effectiveness, and practicality of the proposed easement. The details of the agreement are defined in attached instrument 81-25-0003.

Alignment with City Council's Vision and Strategic Plan

The Project supports City Council's Strategic Plan Framework, Outcome Area of *Climate Action*, as this Project is an initial step in electrifying the City's school bus fleet. Additionally, this bus acquisition is supported by the City's 2023 Climate Action Plan ("CAP"). A Key Action in Chapter 6 of the Plan calls for the City to "*evaluate and begin integrating EV School Buses into the City's pupil transportation fleet*" (CAP, pg. 68).

Community Engagement

During recent community engagement related to the transition of the City's transit fleet transition to zero-emissions buses, there was extensive public support expressed for bus electrification. Broad support for ESBs has previously been expressed within the community, during the development of the CAP, as well.

The required Public Hearing allows for community engagement on this matter (notice attached).

Budgetary Impact

This has no impact on the City's General Fund.

Recommendation

City Staff recommends adoption of the attached Resolution granting the requested easement.

Alternatives

City Council can select not to execute the proposed Agreement.

Attachments

1. Dominion ROW Agreement - Avon St
2. Legal Notice - Easment to Dominion
3. RES - Resolution Dominion Easement Avon St 5.5.25



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into as of this ____ day of _____, _____, by and between the CITY OF CHARLOTTESVILLE ("**GRANTOR**") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in Virginia as Dominion Energy Virginia, with its principal office in Richmond, Virginia ("**GRANTEE**").

W I T N E S S E T H :

1. That for and in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the right, privilege and exclusive easement over, under, through, upon, above and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity; for fiber optic cables, wires, attachments, and other transmission facilities, and all equipment, accessories and appurtenances desirable in connection therewith, for the purpose of transmitting voice, text, data, internet services, and other communications services, including the wires and attachments of third parties; and for lighting purposes; including but not limited to the rights:

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

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in ALBEMARLE COUNTY, Virginia, as more fully described on Plat(s) Numbered 81-25-0003, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on and within the easement area, including but not limited to the airspace above the property controlled by **GRANTOR**, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

This Document Prepared by Virginia Electric and Power Company and should be returned to: Dominion Energy Virginia, 1719 Hydraulic Road, Charlottesville, VA 22901.

Initials: _____

(Page 1 of 6 Pages)

DEVID No(s). 81-25-0003

Parcel ID No. 077E1-00-00-00100

Form No. 728493-1 (Dec 2021)

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Right of Way Agreement

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

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

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

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

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

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

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

Initials: _____

(Page 2 of 6 Pages)

DEVID No(s). 81-25-0003

Form No. 728493-1 (Dec 2021)

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Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

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

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

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

City of Charlottesville

By: _____

Name (print): _____

Title: _____

State of _____

County of _____

I, _____, a Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

_____, _____ on behalf of the City of Charlottesville

(Name of officer or agent)

(Title of officer or agent)

whose name is signed to the foregoing writing this _____ day of _____, _____ and acknowledged the same before me.

Given under my hand _____, 20____

Notary Public (Print Name)

Notary Public (Signature)

Virginia Notary Reg. No. _____

My Commission Expires: _____



Right of Way Agreement

Exhibit A

THIS RIGHT OF WAY AGREEMENT dated _____, _____, by and between the

CITY OF CHARLOTTESVILLE

a political subdivision of the Commonwealth of Virginia ("**GRANTOR**"), and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia ("**GRANTEE**") is hereby amended as follows:

1. This Right of Way Agreement shall be limited in duration and shall remain in force for a term of forty (40) years, except for any air rights together with easements for columns for support granted hereunder, in which case such air rights together with easements for columns for support shall exist for a term of sixty (60) years. At the end of any such term, this Right of Way Agreement shall automatically terminate unless **GRANTOR** agrees to renew this Right of Way Agreement for an additional term of years.
2. In the event that this Right of Way Agreement is terminated, or if the removal of **GRANTEE**'s facilities is otherwise desired by **GRANTOR**, then **GRANTOR** agrees that it will pay the cost of removing **GRANTEE**'s wires and facilities, and, if appropriate, the cost of replacing **GRANTEE**'s wires and facilities. Upon the termination of this Right of Way Agreement, **GRANTOR** agrees to provide **GRANTEE**, if needed by **GRANTEE**, a suitable substitute easement subject to the same terms provided for herein for **GRANTEE**'s wires and facilities. In the event that this Right of Way Agreement is revoked or terminated, all facilities constructed hereunder shall remain the property of **GRANTEE**.
3. **GRANTOR** covenants that in the event that **GRANTOR** sells or conveys the real property on which **GRANTEE**'s wires and facilities are located by this Right of Way Agreement, **GRANTOR** will provide **GRANTEE** with a suitable permanent easement for **GRANTEE**'s wires and facilities and, if necessary, pay the cost of relocating **GRANTEE**'s wires and facilities to such permanent easement.

GRANTOR:

City of Charlottesville

By: _____

Its: _____

DEVID No(s). 81-25-0003

(Page 4 of 6 Pages)



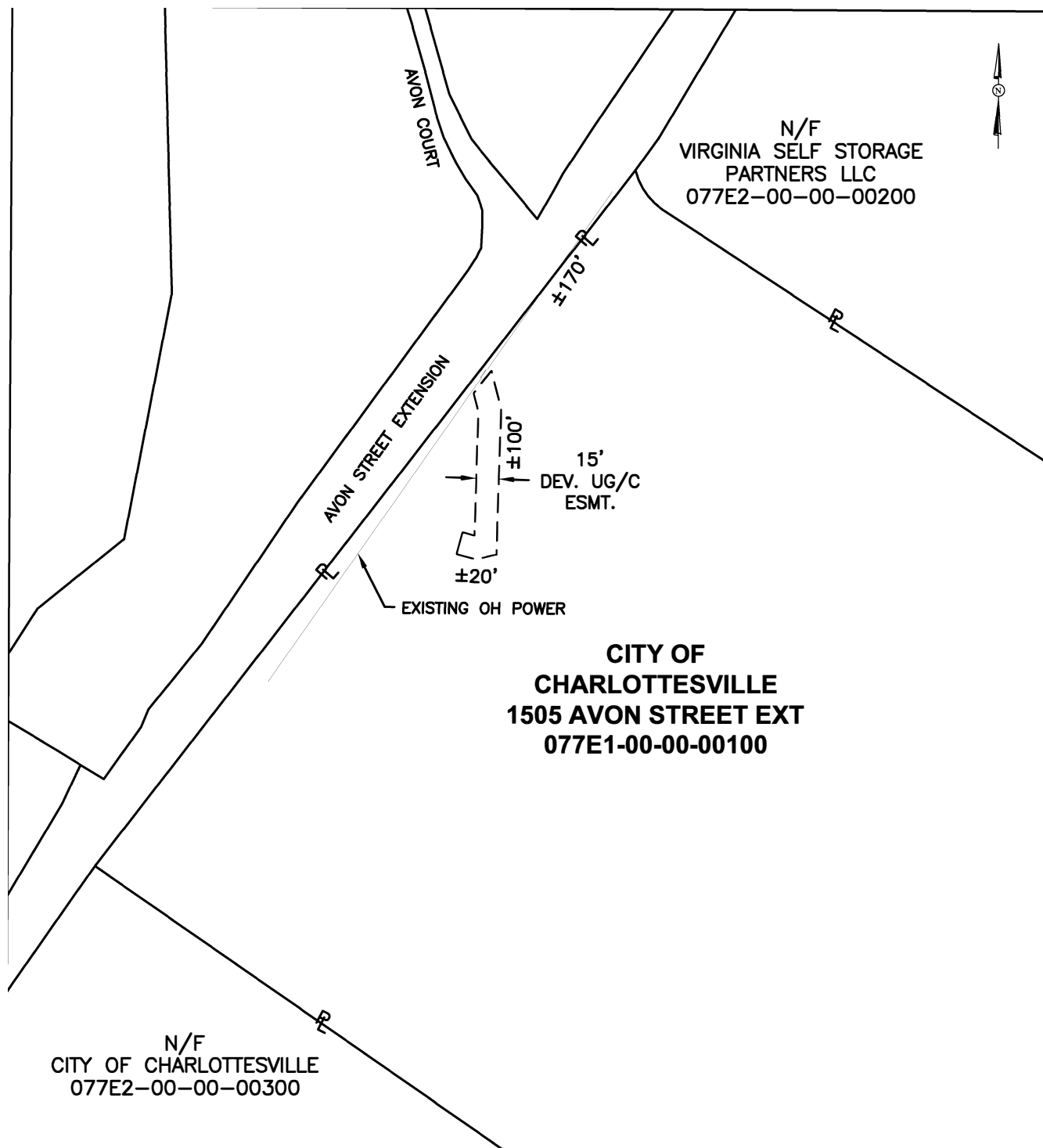
Right of Way Agreement

EXHIBIT A

This Exhibit A shall be attached to and made a part of the RIGHT OF WAY AGREEMENT executed by the undersigned **GRANTOR(s)** on the _____ day of _____, _____. The following terms and conditions are incorporated therein:

GRANTEE agrees to indemnify, protect, defend and hold harmless **GRANTOR**, its employees or agents from and against all claims, actions, losses, damages, costs, expenses and liabilities that arise directly out of injury to or death of any person or loss of or damage to **GRANTOR's** real or personal property in or upon the easement or **GRANTOR's** contiguous area, including the person or property of **GRANTOR**, its employees and agents, to the extent such injury, death, loss or damage is proximately caused by the gross negligence or willful misconduct of **GRANTEE**, its employees or agents. For the avoidance of doubt, the foregoing indemnity does not include, and does not extend or apply to, any claims, actions, losses, damages, costs, expenses and liabilities arising in any way from any acts or omissions of **GRANTOR**, its agents, employees, or licensees.

_____(seal)



LEGEND --- Location of Right-of-Way Boundary —●— Indicates Property Line is Right-of-Way Boundary *NOTE: The centerline of the facilities in the field determine the centerline of the easement.	Region	Local Office	State	PLAT TO ACCOMPANY RIGHT-OF-WAY AGREEMENT UG/C VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Energy Virginia
	Western	Charlottesville	VA	
	County-City	Albemarle	Grid Number	
	Work Request No.	DEVID No.	Scale	
	10753476	81-25-0003	Not to Scale	
	Date	By		
	01/27/2025	R. Mason		
OWNER INITIALS _____				Page 6 of 6

row_10753476_0003.dwg

Easement to Dominion Energy

LEGAL NOTICE

On Monday, **May 5, 2025**, at 6:30 p.m. the Charlottesville City Council will hold a public hearing in the Council Chambers of City Hall, 605 East Main Street, Charlottesville, Virginia to consider adoption of an ordinance/resolution:

Approving an easement provided to Dominion Energy Virginia for the installation of charging stations and related electrical infrastructure for electric school buses at 1505 Avon St. Ext.

This notice is given pursuant to Virginia Code §§ 15.2-1800 and 15.2-1813

The proposed ordinance/resolution regarding this matter is available for examination in the Office of the Clerk of Council, 2nd Floor, City Hall, 605 East Main Street. Any person may appear at the public hearing to express their views on the proposed ordinance/resolution. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 987-1267 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide 48 hours' notice so that proper arrangements may be made.
COL-5000813

**RESOLUTION GRANTING
AN EASEMENT TO DOMINION POWER
TO ENABLE ELECTRICAL POWER SERVICE
TO ELECTRIC CHARGING INFRASTRUCTURE**

WHEREAS, the City has purchased an initial set of electric school buses for the pupil transportation fleet; and

WHEREAS, electric school buses require access to electric charging infrastructure; and

WHEREAS, Dominion Energy offers a program to support school bus fleet electrification initiatives by delivering and operating utility-owned charging infrastructure; and

WHEREAS, the installation of electric charging infrastructure required the establishment of an easement to enable the provision of electrical service to the charging system; and

WHEREAS, City staff has worked with Dominion Power to verify the location, effectiveness, and practicality of the proposed easement and has concluded that these modifications are legitimate and necessary additions to the easement to enable Dominion to provide electrical service to the charging system; and

WHEREAS, the proposed easement is depicted in instrument 81-25-00033, which is enclosed for reference; and

WHEREAS, the electrical charging system will support the climate action initiative of electrifying the school bus fleet.

NOW, THEREFORE, BE IT RESOLVED, that the City of Charlottesville approves the existing easement provided to Dominion Power for the provision of electrical power service to the electrical charging system, located at 1505 Avon Street Ext.

Oschrin
Payne
Pinkston
Snook
Wade

Aye

No

Approved by Council

May _____, 2025

Kyna Thomas, MMC Clerk of Council

Suggested Motion: I move to pass this resolution and grant an easement to Dominion Power for the purpose of providing electrical power service to an electrical charging system at 1505 Avon Street Ext.

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



Agenda Date:	May 5, 2025
Action Required:	Consideration of an Application for a Special Use Permit
Presenter:	Benjamin Koby, Planner II
Staff Contacts:	Benjamin Koby, Planner II
Title:	Public Hearing and Resolution to approve a Special Use Permit for a Commercial Lodging Special Use Permit at 401 Ridge Street

Background

Andrew Jenkins ("Applicant") seeks a Special Use Permit ("SUP"), in accordance with City Code Section 34-5.2.14, to operate a Bed and Breakfast ("Project"), within the R-C Zoning District at 401 Ridge St ("Subject Property"). Pursuant to City Code Section 34-3.2.2, this use is classified as "Commercial General Lodging" and allows up to ten (10) guest rooms with an approved SUP. The Applicant proposes five (5) guest rooms, without on-site management. This Application does not include any proposed exterior modifications to the Subject Property.

Discussion

The Planning Commission ("PC") held a hybrid virtual and in-person Regular Meeting on April 8th, 2025, on this matter. The PC had no concerns with the request, and recommended approval of the SUP, with no recommended conditions. A recording of the Meeting can be found at the following link. Discussion starts at the 1:36:40 mark.

[-Link to Recording of Regular Meeting](#)

The full Application for this Project can be found at the following link. Materials start on page 21.

-

[Link to Staff Report and Application Materials](#)

Alignment with City Council's Vision and Strategic Plan

If City Council approves this SUP request, the Project could contribute to the "Economic Prosperity" strategic outcome area of the City Council's Vision Statement and Strategic Plan.

Community Engagement

Under the City's Development Code, a SUP does require a Public Hearing and Community Engagement Meeting. The Applicant hosted a public Community Engagement Meeting on April 8, 2025, at 11 am, at the Subject Property. Two (2) neighbors attended the Meeting, and were generally supportive of the Application. The citizens did convey some concerns with traffic along

Ridge Street in this area, but did not think this Project would impact the traffic situation.

City Staff has received no emails or phone calls expressing concerns with the Project.

On April 8th, 2025, the PC held a Public Hearing to consider this Application. The Public Hearing was a hybrid Meeting, with the public able to join online and in person. No public comments or concerns were expressed related to this SUP request.

Budgetary Impact

This Item has no budgetary impact.

Recommendation

City Staff recommends approval of the SUP to allow for a "Commercial General Lodging" (up to ten (10) guest rooms) for the use of a Bed and Breakfast at 401 Ridge Street. City Staff did not recommend any conditions for this SUP.

The PC voted 6-0 to recommend approval of this Application.

Alternatives

City Council may deny, indefinitely defer, or modify the conditions on the requested SUP:

- (1) Denial: "I move to deny the SUP requested with Application PL-25-0027;"
- (2) Deferral: "I move to defer Council action on SUP PL-25-0027;" or
- (3) Conditions: "I move to approve the SUP, with the following conditions..."

Attachments

- 1. RESOLUTION GRANTING A SPECIAL USE PERMIT
- 2. Slideshow_401 Ridge St SUP

RESOLUTION GRANTING A SPECIAL USE PERMIT (“SUP”) FOR A COMMERCIAL LODGING (UP TO TEN (10) GUEST ROOMS) AT 401 RIDGE STREET

WHEREAS, Barbara S. and Alan D. Jenkins are the current owners of a lot located in the City of Charlottesville, Virginia (“City”), real estate records by Real Estate Parcel Identification No. 290132000, having an area of approximately 0.31 acres (13504 square feet) ("Subject Property"); and

WHEREAS, the Subject Property is zoned with a Residential C (“R-C”) classification; and

WHEREAS, according to the Permitted Use Table set forth in City Code Section 34, Article 3.2.2, a commercial general lodging (up to ten (10) guest rooms) requires a SUP within the R-C Zoning Districts; and

WHEREAS, the proposed Commercial General Lodging (up to ten (10) guest rooms) is described in more detail within the February 2, 2025, Application, with Project Number PL-25-0027, as required by City Code Chapter 34, Article 5.2.13.B (“Application Materials”); and

WHEREAS, the Planning Commission (“PC”) made a recommendation of approval at its April 8, 2025, Public Meeting, per City Development Code Section 34-5.2.14.C.3.

NOW THEREFORE, BE IT RESOLVED, upon consideration of the PC's recommendation and the Staff Reports discussing this Application, as well as the factors set forth within City Development Code Section 34-5.2.14.D, the City Council of the City of Charlottesville, Virginia (“City Council”), finds and determines that granting the proposed SUP would serve the public necessity, convenience, general welfare or good zoning practice; and

BE IT FINALLY RESOLVED by City Council, that, pursuant to City Code Development 34-5.2.14, a SUP is hereby approved and granted authorizing the Project on the Subject Property.



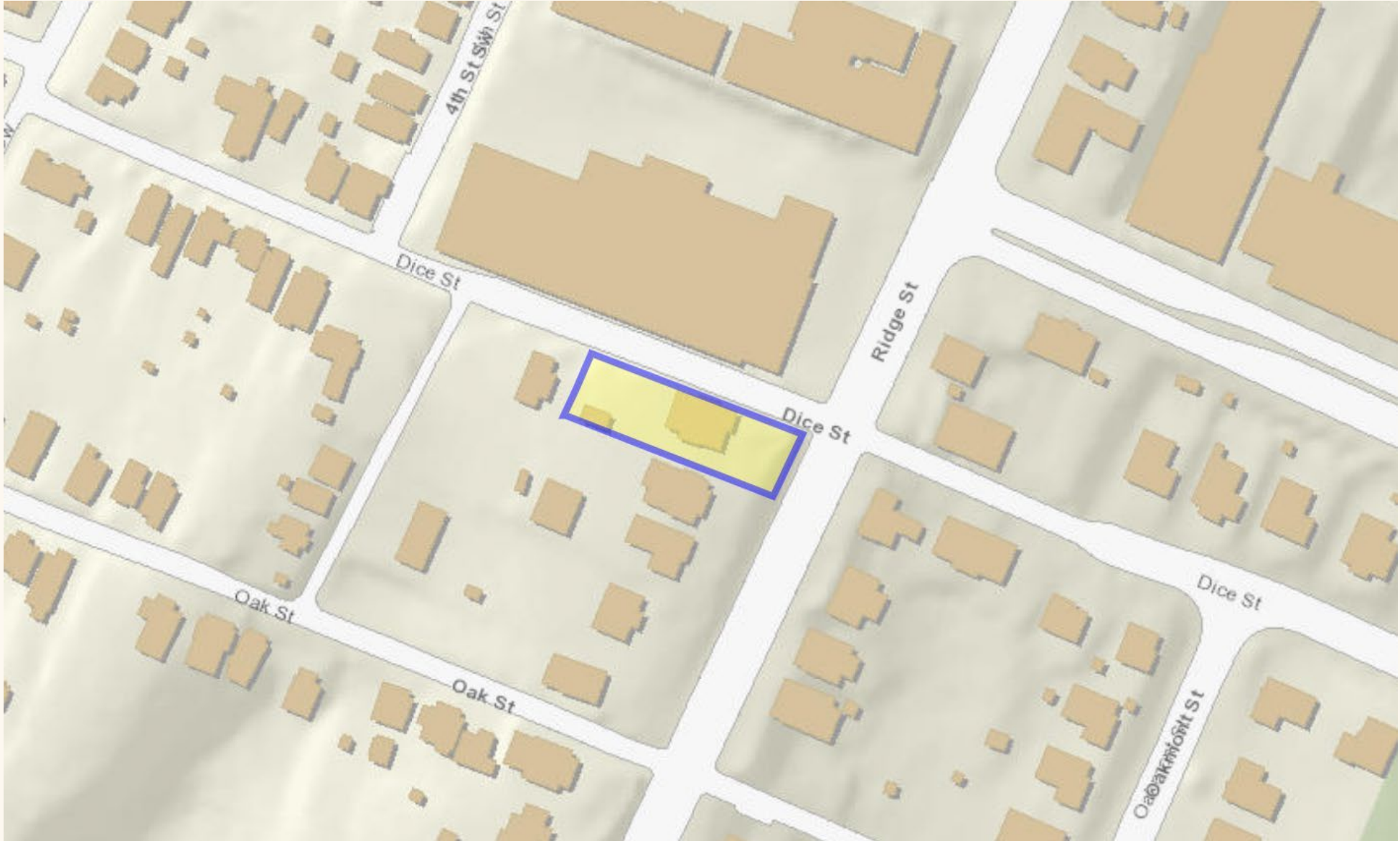
**401 Ridge Street
Special Use Permit
PL-25-0027**

May 5th, 2025

Project Summary

- Address: 401 Ridge Street
- Zoned: R-C (Residential C)
- Future Land Use Designation: Medium Intensity Residential
- Special Use Permit to operate a Bed and Breakfast (Commercial Lodging (up to ten guest rooms))

Vicinity Map





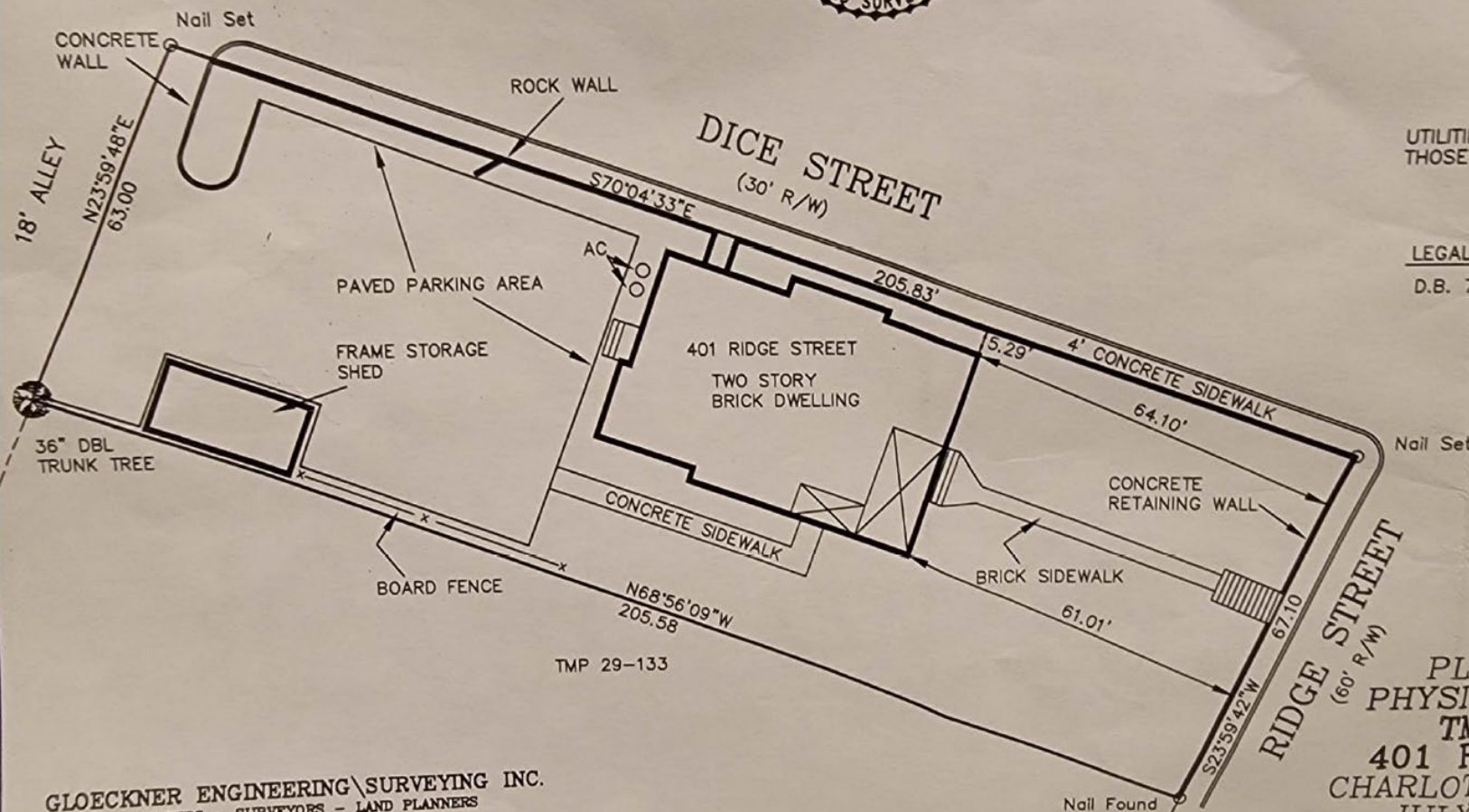
0 10 20 40
SCALE IN FEET



THIS IS TO CERTIFY THAT ON JULY 23, 1998
I SURVEYED THE PROPERTY SHOWN ON THIS
PLAT AND THE TITLE LINES AND WALLS OF
THE BUILDING ARE SHOWN HEREON.
THIS PROPERTY LIES IN ZONE C AND NOT IN
AN AREA DESIGNATED AS ZONE A (100 YEAR
FLOOD HAZARD) AS SHOWN ON FEDERAL FLOOD
RATE INSURANCE MAPS,
EFFECTIVE DATE: JUNE 15, 1979

UTILITIES AND EASEMENTS OTHER THAN
THOSE SHOWN MAY EXIST.

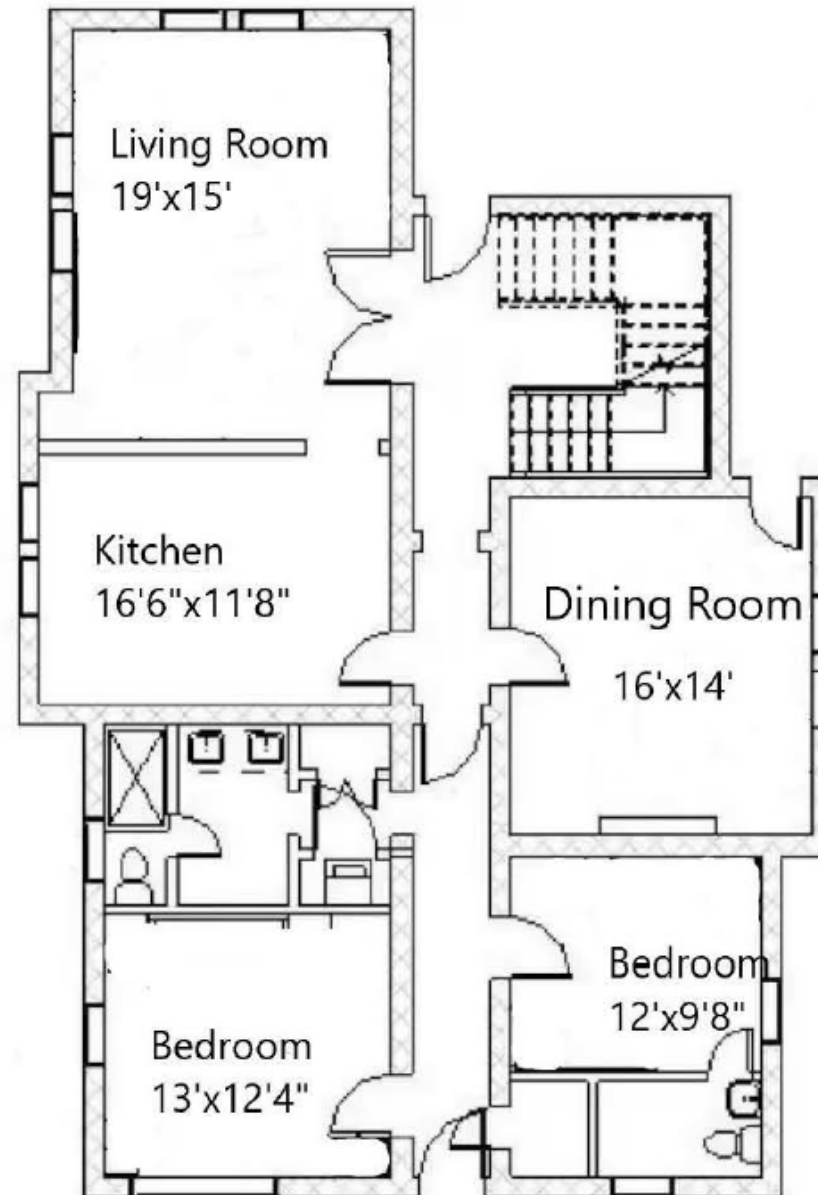
LEGAL REFERENCE
D.B. 705 P. 358



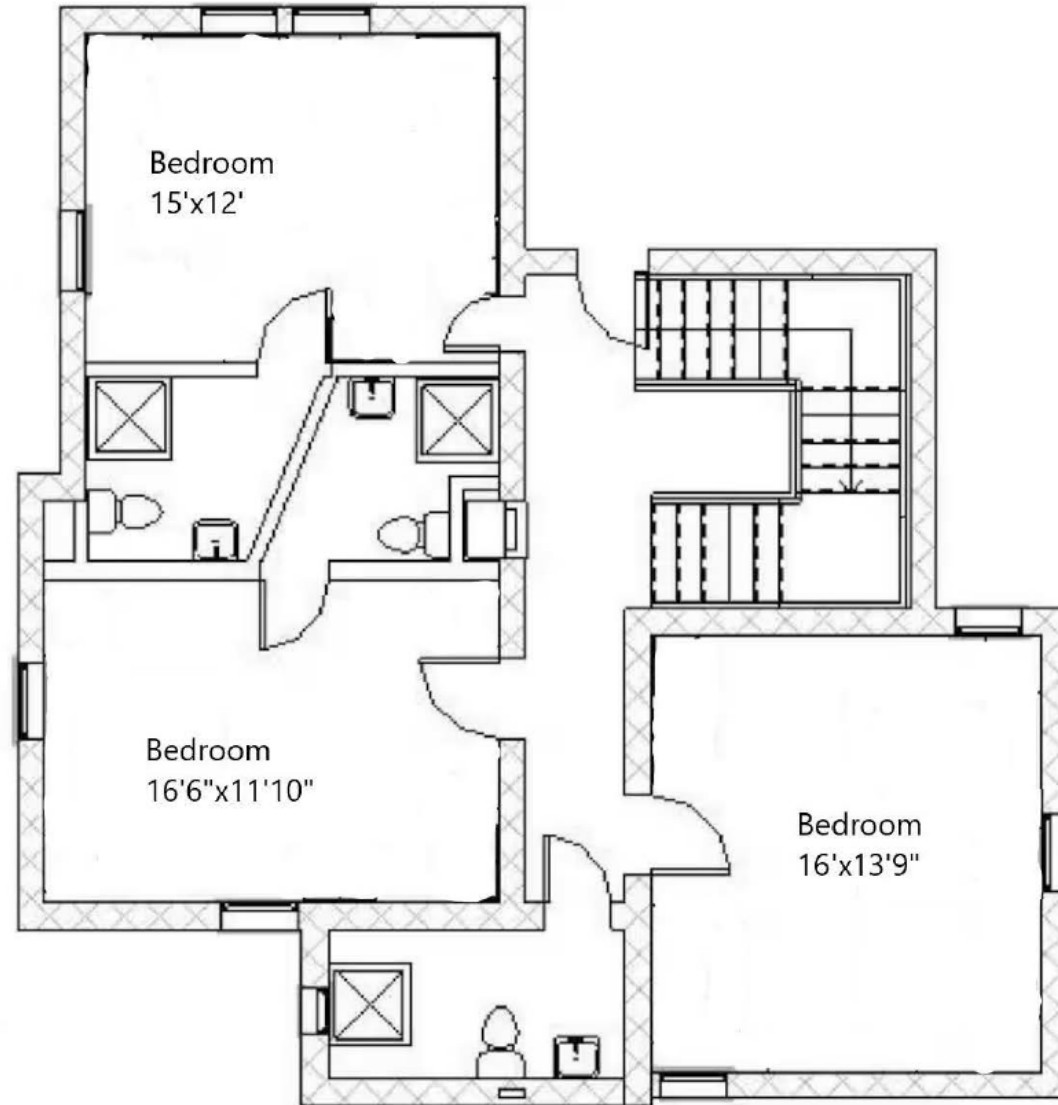
GLOECKNER ENGINEERING\SURVEYING INC.
ENGINEERS - SURVEYORS - LAND PLANNERS
2246 IVY ROAD, SUITE 11
CHARLOTTESVILLE, VIRGINIA 22903

PLAT SHOWING
PHYSICAL SURVEY OF
TMP 29-132
401 RIDGE STREET
CHARLOTTESVILLE, VIRGINIA
JULY 23, 1998
98-028-00

Downstairs



Upstairs



Request and Staff Recommendation

- Special Use Permit to operate a commercial lodging (Bed & Breakfast) in an R-C District
- Planning Commission Recommends approval unanimously
- Staff Recommends Approval

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



Agenda Date:	May 5, 2025
Action Required:	Adoption of Resolution appropriating a Grant of Public Funds for housing assistance to low- and moderate-income homeowners within the City.
Presenter:	Todd Divers, Commissioner of the Revenue
Staff Contacts:	Leon Henry, Director
Title:	Resolution to appropriate a grant of public funds for housing assistance to low- and moderate-income homeowners within the City

Background

For some time, City Council has sought to assist low- and moderate-income persons whose ownership of a home may be in jeopardy due to financial distress associated with the costs of homeownership. This Program seeks to assist those whose status as homeowners is tenuous due to rising transportation, utility and food costs, rising real estate and personal property taxes, and other circumstances that result in costs of homeownership exceeding reasonable portions of a family's income.

Discussion

Pursuant to the provisions of Virginia Code § 63.2-314, City Council may make a Grant of Public Funds to the City's Director of Social Services ("DSS Director"), in their capacity as the "local board," for the purpose of aiding needy persons within the City. The eligibility of homeowners to receive disbursements from this Grant Fund need not be limited to the requirements for any State Public Assistance Programs, or any VHDA Program. Upon City Council's appropriation of funds to the DSS Director, the Public Funds would be deposited in the local treasury to the credit of the local board. The DSS Director, in his capacity as the "local board," will be responsible for dispensing the funds in accordance with specific eligibility requirements. The DSS Director will utilize existing Commissioner of Revenue Office Staff, to assist with the processing of applications and determinations of eligibility, using a Cooperative Agreement.

For 2025, the following income parameters are proposed, with relief calculated as flat amounts:

2025 CHAP (Public Grant for Housing Assistance)				
2025 Grantee Household Income Limits	\$0 - \$37,260	\$37,261 - \$49,680	\$49,681 - \$55,890	\$55,891 - \$62,100
Grant	\$2,500	\$2,000	\$1,500	\$1,000

Proposed Eligibility Criteria for this Public Grant:

1. Grantee must be an individual. No applications will be accepted from any company, corporation, partnership, or other form of legal entity (other than a trust, as referenced below), or awarded to any legal entity.
2. Grantee must be the owner of a home within the City. "Ownership" may be any of the following: (i) individually, or in conjunction with a spouse holding life rights, (ii) individually, or in conjunction with a spouse holding the power of revocation in a revocable *inter vivos* trust of which the home is an asset, or (iii) alone or in conjunction with a spouse who possesses a life estate, or an estate for joint lives, or a continuing right of use or support under the terms of an irrevocable trust of which the property is an asset.
3. Grantee must reside within the home.
4. Maximum value of the home cannot exceed \$525,000 (this is the average assessed value in 2025 of taxable residential parcels, rounded to the nearest \$5,000).
5. Grantee, Grantee's spouse, or any other owner residing in the home cannot own any other interest in real estate, within the City, or at any other location. This includes any real estate interest as: (i) an individual; (ii) as the beneficiary of a trust; (iii) as a member of an LLC; or (iv) by virtue of any other interest in a trust or legal entity.
6. Grantee must demonstrate evidence of household income within the limits established for calendar year 2025.

Alignment with City Council's Vision and Strategic Plan

This aligns with the City Council's Strategic Outcome Areas of HOUSING, ECONOMIC PROSPERITY, and ORGANIZATIONAL EXCELLENCE. The City 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. The City develops strategies and economic development opportunities that drive economic prosperity for all. The City's well-trained and dedicated Staff deliver excellent services to the community.

Community Engagement

NA

Budgetary Impact

The FY26 projected cost of this Program (\$1,110,000) is funded with the Annual Budget Appropriation for Fiscal Year 2026 approved by City Council.

Recommendation

City Staff recommends approval of the attached Resolution. Suggested Motion: *“I move the RESOLUTION appropriating a Grant of Public Funds for housing assistance to low- and moderate-income homeowners within the City.”*

Alternatives

NA

Attachments

1. 2025 CHAP Resolution

**RESOLUTION APPROPRIATING A GRANT OF PUBLIC FUNDS FOR HOUSING
ASSISTANCE TO LOW-AND MODERATE-INCOME HOMEOWNERS WITHIN THE
CITY OF CHARLOTTESVILLE, VIRGINIA**

WHEREAS, pursuant to the provisions of Virginia Code § 63.2-314, the City Council of the City of Charlottesville, Virginia (“City Council”) may offer public grants to its local Director of Social Services (“Director”), serving in their capacity as the “local board” under the provisions of Virginia Code § 63.2-304; and

WHEREAS, City Council desires to offer a grant of public funds during Fiscal Year 2025-2026, to aid low- and moderate-income homeowners within the City of Charlottesville, Virginia (“City”), who are affected by the rising costs of homeownership (which include mortgage payments, fees and taxes, insurance, utilities, maintenance and repairs); and

WHEREAS, the average assessment of a single-family residential property within the City has risen by approximately 8.41% over the past year, and with rising inflation, transportation costs, and utility costs, many individuals, who have income significantly lower than the Charlottesville area median income, will experience significant financial stress and may need financial assistance to remain in their homes; and

WHEREAS, City Council hereby finds and determines that it is both necessary and desirable, to promote the general welfare of the City, and to promote the safety, health, comfort, and convenience of City inhabitants, to support the affordability of continuing homeownership by low- and moderate-income individuals; and

WHEREAS, public funding is available and has been appropriated within the City Budget for the proposed public grant, in the amounts set forth within this Resolution.

NOW, THEREFORE BE IT RESOLVED, by City Council that, effective July 1, 2025, and for calendar year 2025, a grant of public funds is hereby made to the Director, in their capacity as the “local board of social services” pursuant to Virginia Code § 63.2-304, to be used to provide housing assistance to City homeowners in need of such, as follows:

Expenditure

\$1,110,000 Fund: 105 Cost Center: 3343019000 G/L Account: 540065

BE IT FURTHER RESOLVED, that the Director is solely responsible for administration of this assistance fund, pursuant to the provisions of Virginia Code §§ 63.2-304 and 63.2-314, provided that the Director may enter into written agreements with the Commissioner of Revenue, Treasurer, and City Manager, as may be necessary to administer the fund; and

BE IT FURTHER RESOLVED, that it is the desire of City Council that this grant of public funds, hereafter to be referred to as the “Charlottesville Homeownership Assistance Program” (“CHAP”), shall be provided to City homeowners in need of assistance due to rising costs of homeownership, in accordance with the following parameters:

2025 CHAP (Public Grant for Homeownership Assistance)				
Applicant Household Income	\$0 - \$37,260	\$37,261 - \$49,680	\$49,681 - \$55,890	\$55,891 - \$62,100
Grant	\$2,500	\$2,000	\$1,500	\$1,000

(1) Grantee must be a human being, own a home within the City, and must reside within the home. As of January 1, 2025, and as of the date an application is submitted, the Applicant must occupy that real estate as his/her sole residence and must intend to occupy that real estate throughout the remainder of calendar year 2025. An Applicant 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 the real estate is not being used by or leased to another for consideration. “Ownership” may be any of the following: (i) individually, or in conjunction with a spouse holding life rights; (ii) individually, or in conjunction with a spouse holding the power of revocation in a revocable *inter vivos* trust of which the home is an asset; or (iii) alone or in conjunction with a spouse who possesses a life estate, or an estate for joint lives, or a continuing right of use or support under the terms of an irrevocable trust of which the property is an asset.

(2) Most recent assessed value of the Grantee’s home cannot exceed \$525,000 (this is the average assessed value in 2025 of taxable residential parcels, rounded to the nearest \$5,000).

(3) Grantee, Grantee’s spouse, or any other owner residing in the home, cannot own any other interest in real estate, either within the City, or at any other location. This includes any real estate interest owned: (i) as an individual; (ii) as the beneficiary of a trust; (iii) as a member of an LLC; or (iv) by virtue of any other interest in a legal entity.

(4) Grantee must demonstrate evidence of Household Income within the limits established for calendar year 2025, as set forth above within this Resolution. “Household Income” means: (i) 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; or (ii) 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 home, and any other person(s) who: (i) owns any interest in the home; and (ii) resides in the Applicant’s home. The Director shall establish the Household Income of Applicants for whom no federal tax return is required through documentation satisfactory for audit purposes.

(5) This public grant shall be used only to assist individuals who are not receiving the real estate tax exemption or deferral provided under Chapter 30, Article IV, of the Charlottesville City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) during 2025.

(6) Not more than one (1) grant shall be provided to any one (1) address.

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



Agenda Date: May 5, 2025

Action Required: Approval of lease for memorial at McIntire Park

Presenter: Riaan Anthony, Director of Parks & Recreation

Staff Contacts:

Title: Resolution to adopt a lease agreement with the Dogwood Vietnam Memorial Foundation for maintenance and operation of the memorial area at McIntire Park

Background

The Dogwood Vietnam Memorial Foundation operates the memorial and holds regular events at McIntire Park in partnership with the City Parks Department.

Discussion

The City has negotiated an updated lease agreement with the Dogwood Vietnam Memorial Foundation for maintenance and operation of the memorial area at McIntire Park. This would replace the existing MOU with a more formal lease.

Alignment with City Council's Vision and Strategic Plan

Partnerships

Community Engagement

Budgetary Impact

None

Recommendation

Approve lease agreement

Alternatives

Continue with current MOU

Attachments

1. Land Lease - DVMF (3.3.2025)(v2)

LONG TERM LEASE
BETWEEN THE CITY OF CHARLOTTESVILLE
AND
THE DOGWOOD VIETNAM MEMORIAL FOUNDATION, INC.

1. **Parties.** The City of Charlottesville, Virginia (the “City”) owns certain real estate commonly known as McIntire Park and intends to lease a portion thereof to the Dogwood Vietnam Memorial Foundation, Inc. (“DVMF”), a charitable, non-profit corporation authorized to do business in the Commonwealth of Virginia.

2. **City Authority.** The City has the authority to enter into this Lease pursuant to Virginia Code §§ 15.2-953, 15.2-1800, and 15.2-2100.

3. **Leased Premises.** The City hereby leases and demises to DVMF, and DVMF hereby leases from City, certain real property in the southeast corner of McIntire Park, nearest to the intersection of State Route 250 and the John Warner Parkway, which property is more particularly identified on Exhibit A attached hereto (the “Leased Premises”).

4. **Suitability of Leased Premises.** The City makes no representation or warranty as to the condition or suitability of the Leased Premises for DVMF’s intended purposes. DVMF accepts the Leased Premises in its “as is” condition subject to all existing utilities and all easements of record.

5. **Term.** The term of this Lease is forty (40) years beginning on the date this Lease is executed by both the City Manager and a duly authorized agent of DVMF.

6. **Rent.** The rent for this Lease is the nominal fee of One Dollar (\$1) per year, for a total of forty dollars (\$40) prepaid, the receipt of which is hereby acknowledged.

7. **Use.**

a. **Memorial.** DVMF will use and occupy the Leased Premises for the sole purpose of constructing, improving, operating, and maintaining a memorial (the “Memorial”) to honor and perpetuate the lasting memory of all persons who served in the United States Military and to hold meetings or events concerning or relating to the Memorial or the DVMF, subject to the DVMF complying with all applicable local, state and federal rules, regulations and laws.

b. **Reservation.** The City reserves the right to install, operate, repair, and maintain water, sewer, gas, stormwater, or other utilities (“Public Facilities”) within the Leased Premises. Upon completion of any such work the City will reasonably repair any damage to the Leased Premises proximately caused by the City’s installation, operations, repairs, or maintenance of its Public Facilities.

c. **Open to public.** The Leased Premises will remain open to the general public except during hours specified within Section 18-1 of the Charlottesville City Code (as may be amended) for McIntire Park. When McIntire Park is open to the general public, DVMF must not exclude members of the public from the Leased Premises *subject to the following exceptions:*

i. Private Events. DVMF may use and occupy the Leased Premises for ceremonies, meetings, or other private events, during which time the Leased Premises will not be open to the general public. DVMF is hereby granted the right and privilege to conduct up to 10 private events per calendar year which advance DVMF's mission during which DVMF and its guests will have the privilege of exclusive use of the entire Leased Premises, provided, however, that all such private events must comply with all applicable local, state and federal governmental rules, regulations and laws. For each such private event, upon prior approval from the City, which approval will not be unreasonably withheld, vehicular access will be allowed through the existing gated entrance to the skate park to allow for vehicle parking near the Memorial site.

ii. Construction. DVMF may temporarily restrict or prohibit public access to any portion of the Leased Premises that is a work zone for construction or land disturbing activities being conducted by DVMF, the City, or the contractors of either. Any construction or land disturbing activities conducted by DVMF must be performed in accordance with all local, state and federal rules, regulations and laws. No improvements, other than the expansion of the Memorial plaza and the Pedestrian Bridge Access thereto (subject to approval from the City), may be installed on the Leased Premises without the consent of the City. DVMF will take all reasonable measures to prevent any mechanic's liens, materialmen's liens or other statutory liens to attach to the Leased Premises as a result of any alterations, improvements, additions or repairs performed by DVMF or at DVMF's direction. If any such lien or notice of lien rights is filed with respect to the Leased Premises by a contractor hired or engaged directly by DVMF (including any subcontractor hired or engaged by such contractor), then DVMF shall upon notice of same promptly take all reasonable measures to have such lien released or bond over the lien if release is not accomplished within thirty (30) days, and shall permit no further work to be performed on the Leased Premises until such release or bond has been accomplished, unless otherwise agreed to by the City in writing.

8. Financial Assurances. Prior to the commencement of any construction or land disturbing activity in or upon the Leased Premises DVMF must provide to the City:

a. Financial Plan. A written financial plan demonstrating DVMF's ability to adequately finance the cost thereof.

b. Contractors. Evidence that DVMF has entered into a written contract with one or more licensed and bonded Class A contractor(s) and has secured performance and payment bonds for the entire amount of the contract(s).

c. Insurance. Evidence that said contractor(s) will have in effect commercial general liability insurance throughout any period in which work is being performed by said contractor(s).

9. Maintenance, operation, and repair.

a. DVMF duties and obligations.

i. Keep clean. DVMF must keep the Leased Premises in a clean, attractive condition and not commit or allow any waste or damage to be committed to any portion of the Leased Premises.

ii. Pedestrian Bridge Access. DVMF will engage with the City in good faith and take all reasonable action to allow and assist the City in the planning, construction, development, and approval of a pedestrian bridge, multi-use trail, and associated parking lot to provide improved/handicap public access to the Leased Premises (and McIntire Park generally).

iii. Employees, Agents, Invitees. DVMF shall be responsible for the well-being and safety of its employees, agents and invitees present on and/or performing activities while on the Leased Property and shall, at all times, provide reasonable and customary supervision of all such persons while on the Leased Premises.

b. City duties and obligations.

i. Landscaping. The City is solely responsible for all reasonable and necessary landscaping services on and for the Leased Premises, provided that the City must not unreasonably interfere with DVMF's private events (*see supra* ¶ 7.c.i) of which the City has notice.

ii. Pedestrian Bridge Access. The City will engage with DVMF in good faith and take all reasonable action to allow and assist DVMF in the planning, construction, development, and approval of a pedestrian bridge, multi-use trail, and associated parking lot to provide improved/handicap public access to the Leased Premises (and McIntire Park generally).

10. Legal interests.

a. Real estate. Title to the Leased Premises is now, and upon the expiration or earlier termination of this Lease will remain with, the City. DVMF must promptly and in good faith execute any written instruments or documents the City presents to DVMF that is reasonably necessary to confirm such ownership interest(s) of the City.

b. Other property. All improvements, fixtures, or other property DVMF places, constructs, or installs in, on, or upon the Leased Premises is, and upon expiration or earlier termination of this Lease will remain, owned by DVMF and may be removed by DVMF at any time. This includes but is not limited to, all flags, flag poles, plaques, stanchions, kiosks, temporary decorations (bunting, banners, etc.), and inscribed bricks. This does not include any concrete or asphalt paths, stairs, or walls (except the inscribed bricks).

11. Damage; destruction.

a. Notice. DVMF must give the City prompt written notice of any damage or destruction of any portion of the Leased Premises.

b. Repair. In the event that some portion of the Leased Premises is damaged by fire or other casualty, and such damage is covered by DVMF's insurance, DVMF agrees to make a claim under said insurance and to repair such damage as much as can reasonably be done with the amount of any insurance proceeds from that claim.

c. DVMF's property. The City is not required to repair any damage to or replacement of any of DVMF's property on or upon the Leased Premises (as defined in paragraph 10.b above) unless such damage was caused (in whole or in part) by the negligence or willful misconduct of the City or its employees and/or agents or otherwise provided by law.

12. Indemnification.

a. Generally. Subject to paragraph 12.b below, DVMF must indemnify and hold the City (including its officers, officials, and employees) harmless from and against any and all liability, loss, claim, suit, damage, charge, or expense suffered, sustained, incurred or in any way to be subjected to, on account of death of or injury to any person and for damages to, loss of, and destruction of any property whatsoever which arises out of, results from, or is in any way connected with (i) DVMF's use of the Leased Premises during a private event under this Lease (*see supra* ¶ 7.c.i) or (ii) which occurs as a consequence of any negligence or misconduct of DVMF (including its members, contractors, and subcontractors) in the exercise of DVMF's rights, privileges, or performance of DVMF's obligations under this Lease.

b. Exceptions. Notwithstanding paragraph 12.a above, DVMF has no indemnity obligation for the negligent acts, omissions, or misconduct of the City's officers, officials, employees, and other agents, in their capacity as an officer, official, employee or agent, to the extent provided by law.

13. Assignment. DVMF has no right to assign or sublease, in any manner or fashion, any of its rights, privileges, or interests accruing to it under this Lease to any other individual or entity without the prior written consent of the City. *Provided, however,* that the City cannot unreasonably withhold its consent if DVMF proposes to assign or sublease to an alternative or successor charitable organization that is capable of performing DVMF's obligations hereunder and the use of the Leased Premises will remain one for the public good, in the sole discretion of the City, not to be unreasonably withheld, conditioned or delayed.

14. Nondiscrimination. DVMF must not discriminate against any person in its membership, programs, or events relating to the use or occupancy of the Leased Premises on the grounds of race, religion, color, gender, sexual orientation, national origin, disability, or any other basis prohibited by law.

15. Insurance.

a. Types of Insurance. DVMF will, at its sole cost and expense, secure and maintain throughout the term of this Lease, the following types of insurance coverage and policy limits:

- i. \$1,000,000 for commercial general liability coverage;
- ii. \$1,000,000 for bodily injury and property damage;
- iii. \$1,000,000 for products and non-owned and hired automobile liability;
- iv. \$1,000,000 for personal and advertising injury; and
- v. \$5,000 medical expense benefit (any one person).

b. Special Requirements. Each insurance policy required by this paragraph must be written or endorsed so as to preclude the exercise of the right of subrogation against the City and must name the City as an additional insured. Each insurance policy required by this paragraph also must be endorsed to include the following clause: "Should any of the insurance policies be cancelled before the expiration date thereof, the issuing insurance company will endeavor to mail written notice of such cancellation to the City at least 10 days in advance." Upon receipt of any notice, verbal or written, that the said insurance is subject to cancellation, DVMF must notify the City within five (5) business days. In the event DVMF fails to comply with the requirements of this section, the City will have the right to require DVMF to suspend use of the Leased Premises until such time as the requirements of this paragraph are met.

c. Evidence of Insurance. DVMF must provide the City with one or more certificate(s) of insurance confirming the insurance required by this Lease.

d. Amendment. The required insurance coverages, and the required limits of the insurance, may be reviewed by the parties and amended from time to time by mutual agreement.

16. Default. If at any time during the term of this Lease the City contends that DVMF is in violation of any material provision of this Lease, then the City must provide DVMF written notice thereof. Such notice must specifically identify the provision(s) of the Lease allegedly violated and the facts to support the City's assertion. Upon receipt of such notice, DVMF will have 90 days to remedy the alleged violation(s). Notwithstanding the foregoing, the City shall have the right to correct any such violation, if in the sole discretion of the City, such violation creates a danger to the public or otherwise requires immediate attention and if the City so elects, all reasonable costs of such correction shall be recoverable from DVMF, within thirty (30) days of receipt of an invoice from the City.

17. Expiration or Termination of Lease. Upon the expiration or earlier termination of this Lease under paragraph 16 above, DVMF must surrender the Leased Premises to the City as provided in paragraph 18 (entitled "Surrender") of this Lease. If this Lease has not been earlier terminated, the parties must meet and confer in Year 38 of the term of this Lease to negotiate in good faith the terms of a new or extended lease.

18. Surrender. Upon the expiration or earlier termination of this Lease, DVMF will:

a. Quit and peaceably surrender to the City possession of the Leased Premises in good order and condition, except for ordinary wear and tear. The surrender of this Lease will, at the option of the City, terminate any and all existing subleases or may, at the option of the City, operate as an assignment to it of any and all such subleases.

b. Remove its property from the Leased Premises and any property which has not been removed prior to the date of termination will become the property of the City, and the City will have the right to dispose of such property in its sole discretion.

19. Eminent Domain. In the event of any taking by eminent domain of the Leased Premises, whether partial or total, the City will be entitled to receive the condemnation award or compensation; *provided, however*, that if any structures and/or improvements created or installed by DVMF are taken, then DVMF will be entitled to receive that portion of the condemnation award or compensation for such structures and/or improvements. If the taking is such that sufficient area remains for DVMF to continue its normal operations, then the Lease will terminate only as to the part of the Leased Premises so taken but will remain in effect with respect to that part not taken.

20. Right of Entry. The City or its agents may enter upon the Leased Premises at all reasonable times to examine the condition and use so long as that right is exercised during regular business hours in a manner that does not unreasonably interfere with DVMF's conduct of its lawful and authorized activities within the Leased Premises.

21. Non-waiver. No failure on the part of either party to enforce any of the terms or conditions set forth in this Lease will be construed as or deemed to be a waiver of the right to enforce such terms or conditions. No waiver of a breach of this Lease will be construed as a waiver of any succeeding breach of the same provision. No delay or failure by either party to exercise any right under this Lease, and no partial or single exercise of that right, will constitute a waiver of that or any other right, unless otherwise expressly provided herein.

22. Notices. All notices given in connection with this Lease must be communicated in writing either by (a) U.S. Mail first class postage prepaid or (b) prepaid express delivery service and in either event addressed as follows:

To the City:
City Manager
P.O. Box 911
Charlottesville, VA 22902

To DVMF:
DVMF President
P.O. Box 6193
Charlottesville, VA 22906

With a copy to:
City Attorney
P.O. Box 911
Charlottesville, VA 22902

Either party may change its designated representative or mailing address by giving written notice to the other party as provided herein.

23. Modifications. No modification, amendment, release, or discharge of any provision of this Lease will be of any force or effect except by the written consent of both parties hereto. Notwithstanding the foregoing, the City Manager is hereby authorized to act as City Council's agent for purposes of approving modifications of the provisions of this Lease.

24. Time of Essence. In all instances in which a party is required by this Lease to do any act on or within a specific time period, the parties expressly declare that time is of the essence as to such action.

25. Persons Bound. The terms, provisions, and conditions of this Lease will bind and inure to the benefit of the respective parties hereto and to their respective representatives, successors, and assigns.

26. Entire Agreement. This Lease contains the entire agreement between the parties and it supersedes all prior agreements and understandings of the parties, whether verbal or written, as to matters that are set forth in this Lease. There are no collateral agreements, stipulations, or promises whatsoever in any way touching the subject matter of this Lease. The execution of this Lease was not induced by any representations, promises, or understandings other than those expressly set forth herein.

27. Recordation. The terms and conditions set forth herein will be signed by the parties' duly authorized agents and suitable for recordation among the land records of the Charlottesville Circuit Court in accordance with Virginia Code § 17.1-227. Alternatively, in lieu of recordation, a memorandum of lease may be recorded as provided in Virginia Code § 55.1-1601.

28. Headings. The headings or captions used in this Lease are for convenience only and are not to be used in the interpretation or construction of its provisions.

29. Interpretation. In the event of any conflict, discrepancy, or inconsistency between this Lease and any other documents which have been incorporated into this Lease by reference or made exhibits or attachments hereto, then the provisions set forth within this Lease will govern the parties' intent. The terms of this Lease have been negotiated at arm's length and with the opportunity to seek respective legal counsel and thus neither party alone "drafted" the terms hereof for purposes of construing any ambiguities herein.

30. Severability. In the event that any term or provision of this Lease, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Lease, and the application of any term or provision to any person or circumstance other than those to which it has been held invalid or unenforceable, will not be affected thereby.

31. Governing Law. This Lease is governed, construed, and enforced by and in accordance with the laws of the Commonwealth of Virginia. Any suit or controversy arising under this Lease must be brought in the General District or Circuit Court for the City of Charlottesville, Virginia.

32. Authorized Signatures. The City of Charlottesville City Council authorizes the Charlottesville City Manager as its agent to execute the Lease on behalf of the City of Charlottesville and to bind the City hereto. The Dogwood Vietnam Memorial Foundation, Inc. authorizes its President as its agent to execute the Lease on behalf of the DVMF and to bind the DVMF hereto.

33. Execution in Counterparts. This Lease may be executed in counterparts, each of which is deemed an original, but all of which constitutes one and the same instrument.

WITNESS THE FOLLOWING SIGNATURES:

City of Charlottesville, VA

Dogwood Vietnam Memorial Foundation, Inc.

By: _____
City Manager

By: _____
President

Printed Name: _____

Printed Name: _____

Date: _____

Date: _____

EXHIBIT A



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



Agenda Date:	May 5, 2025
Action Required:	Adopt Resolution Reallocating Funding
Presenter:	Antoine Williams, Housing Program Manager
Staff Contacts:	Alexander Ikefuna, Director, Office of Community Solutions Antoine Williams, Housing Program Manager Madelyn Metzler, Housing Compliance Coordinator
Title:	Resolution to allocate \$41,500 from FY26 Housing Operations and Programs Support of the FY26 Charlottesville Affordable Housing Fund as an Emergency Grant to the Blue Ridge Area Coalition for the Homeless for the Supportive Housing Program

Background

The City of Charlottesville, Virginia's ("City"), Fiscal Year 2025–2026 ("FY26") Budget included funding for the Charlottesville Affordable Housing Fund ("CAHF"), which includes a limited-competitive funding opportunity to support Housing Operations and Program Support ("HOPS") in the total amount of \$575,000. The CAHF Committee made recommendations for an allocation of \$788,000, leaving a difference of \$114,426 for allocation at City Council's discretion.

Discussion

Recognizing that funding needs do not always arise in alignment with Grant funding cycles, the City Manager presented to City Council eight (8) off-cycle requests as part of the City's FY2026 Budget process. One (1) request is from BRACH for funding to replace a lost Grant. This funding would ensure that BRACH, the lead Continuum of Care agency in the City's region, can continue its operations uninterrupted. Due to the potential for interrupted service, this funding request is deemed an emergency. Given the emergency need, \$41,500 of the remaining balance should be allocated from the FY26 HOPS Grant Program Budget, and it is recommended that BRACH be awarded a Supportive Housing Emergency Grant.

Alignment with City Council's Vision and Strategic Plan

The funding recommendations align with the following:

1. **Alignment with Affordable Housing and Comprehensive Plans:** The funding recommendation has been endorsed by the City Council and aligns with the goals and priorities outlined in the City's Affordable Housing and Comprehensive Plans. The recommended funding supports initiatives addressing homelessness prevention and affordable housing development, which are key focus areas of the City's affordable housing plan.

2. **City Council Strategic Plan Framework/Strategic Outcome Area ("SOA") Housing: *Housing Choice and Mobility***-- The HOPS Grant Program supports a variety of initiatives aimed at improving housing affordability and accessibility. The Program directly contributes to housing choice and mobility for all residents, as outlined in the City's Affordable Housing Plan.
3. **Economic Prosperity: *Driving Prosperity for All***--Investing in affordable housing initiatives through the HOPS Grant Program ensures that all residents have access to stable and affordable housing. Stable housing is foundational for pursuing economic opportunities, building wealth, and contributing to community prosperity. By fostering economic stability for residents, the Program drives economic prosperity for the entire community.
4. **Magnify Positive Community Outcomes through Capacity Support:** The HOPS Grant Program involves collaboration with various stakeholders, including nonprofit organizations, housing authorities, legal aid services, and community development organizations. These partnerships amplify the positive outcomes of affordable housing initiatives by leveraging resources, expertise, and community networks. By fostering meaningful collaborations, the Program enhances the effectiveness of initiatives addressing housing needs.
5. **Commitment to Justice, Equity, Diversity, and Inclusion:** The HOPS Grant Program reflects the City's commitment to justice, equity, diversity, and inclusion, by addressing housing needs across various demographic groups and socioeconomic backgrounds. By providing housing support to vulnerable populations and advancing social and economic justice, the Program contributes to creating a more inclusive and equitable community.

In summary, the HOPS Grant Program aligns closely with the City's vision of creating an environment where everyone can thrive. Moving forward, continued investment in the HOPS Grant Program will be essential for advancing the City's goals for inclusive and equitable community development.

Community Engagement

This HOPS Grant Program, and the granting of this Emergency Grant, are in keeping with the provisions in the City's Affordable Housing Plan and 2021 Comprehensive Plan that were recommended by the Planning Commission and approved by the City Council. Both documents went through an extensive public engagement process.

Budgetary Impact

This allocation to BRACH is from the CAHF/HOPS Grant Program funding, which was allocated and appropriated in the City's Capital Improvement Program, as part of the FY25/26 Budget.

Recommendation

City Staff recommends City Council adopt the attached Resolution allocating \$41,500 in FY25 CAHF Grant funding as an Emergency Grant to BRACH for its Supportive Housing Program.

Alternatives

N/A

Attachments

1. HOPSGrantAward-Resolution_Allocating \$41500 (FY25) - BRACH

**RESOLUTION ALLOCATION OF HOUSING OPERATIONS AND
SUPPORT (HOPS) FY26 GRANT FUNDING FOR EMERGENCY GRANT
TO THE BLUE RIDGE AREA COALITION FOR THE HOMELESS
(BRACH) FOR SUPPORTIVE HOUSING PROGRAM
IN THE AMOUNT OF \$41,500**

WHEREAS, the City of Charlottesville, Virginia, having established the Housing Operations & Program Support (HOPS) Grant Program to provide financial support for community agency programs aiding in affordable housing and homelessness relief, hereby allocates \$41,500 from the Housing Operations & Program Support (HOPS) Grant Program under Fund 426 Project: CP-084, as per the Capital Improvement Program budget for FY2026; and

NOW, THEREFORE, BE IT RESOLVED The City Council, having received and reviewed recommendations from the CAHF Committee on the expenditure of CAHF funds (CP-084) for the HOPS Grant Program, resolves to allocate the amount to the Blue Ridge Area Coalition for the Homeless (BRACH) for Supportive Housing Program.

Fund	Project	GL Account	Applicant	Funded Project/Initiative	CAHF Award
426	CP-084	530670	Blue Ridge Area Coalition for the Homeless (BRACH)	Supportive Housing Emergency Grant	\$41,500

BE IT FURTHER RESOLVED that all funding awards within this resolution shall be provided as grants to the entity listed under the “Applicant” column above to be used solely for the purposes of the program listed in this resolution and any subsequent grant agreement. The City Manager is authorized to negotiate and execute funding grant agreements with each recipient to ensure proper utilization of funds.

Approved by Council
May 5, 2025

Kyna Thomas, CMC
Clerk of Council

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



Agenda Date: May 5, 2025

Action Required:

Presenter:

Staff Contacts:

Title: Confidential Settlement Agreement

Background

Discussion

Alignment with City Council's Vision and Strategic Plan

Community Engagement

Budgetary Impact

Recommendation

Alternatives

Attachments

None