

## NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, June 21, 2010 AT 6:30 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code

BY ORDER OF THE MAYOR

BY Paige Barfield

### **SECOND FLOOR CONFERENCE ROOM – June 21, 2010**

Council met in special session on this date with the following members present: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos.

On motion by Ms. Szakos, seconded by Mr. Huja, Council voted (Ayes: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None) to meeting in closed session for discussion and consideration of the acquisition of real property located on Davis Avenue and on Angus Road for a public purpose, where discussion in an open meeting would adversely affect the City's negotiating strategy, as authorized by Virginia Code sec. 2.2-3711.

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

### **COUNCIL CHAMBER – June 21, 2010**

Council met in regular session on this date with the following members present: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos.

#### **AWARDS/RECOGNITIONS: AAA BOND RATING, RECYCLING AWARD**

Mr. Norris announced the City of Charlottesville has once again received the highest rating of AAA from Moodys and Standards and Poors. Mr. Jones thanked Bernard Ray, Aubrey Watts, Leslie Beauregard, and former City Manager Gary O'Connell for achieving this rating.

The City also saw a 65% increase from 2006-2009 in curbside recycling. Mr. Norris thanked our public works director Judy Mueller and her staff.

## **ANNOUNCEMENTS**

Mr. Norris announced the Summer Foods program, which runs June 21 – June 30.

Ms. Szakos announced the Gospel Choir from Besancon, which will perform at the Paramount on July 12.

Ms. Edwards said every child should have come home with a reading list for the summer. She encouraged parents to go to library and have children do required reading and fun reading over the summer.

## **PUBLIC**

Ms. Susie Hoffman, 1203 Augusta Street, presented a petition signed by 50 residents regarding the special use permit request at 1147 Rose Hill. She requested it be pulled from the consent agenda and opened to public comment.

Mr. Tom Bow, 1211 August Street, spoke against a cut through in his Amherst neighborhood. He asked Council to protect his neighborhood from the cut through.

Ms. Michelle Pike, 2124 Sundown Place, spoke on behalf of local business owners who support energy efficiency and clean energy. She asked Council to publically support clean energy.

Mr. Norman Dill, 2109 India Rd., said this is an opportunity for the country as a whole to approach a more clean energy environment. She said Charlottesville has an opportunity to be a leader in the nation.

Mr. Bob Fenwick, 901 E. Jefferson St. said the delay in building a new dam has resulted in a closer look at water supply projections. He said figures indicate that this community has more than enough water for present and future growth. He said an earthen dam is preferable to a concrete dam, and if we had rushed this decision, we would have had a second rate dam.

Ms. Betty Mooney, 201 Sunset Avenue, thanked Council for approving the dredging study. She said dredging gives us water for many decades and buys time. Council should take the cost of a pipeline into the dam into consideration.

Ms. Collete Hall, 101 Robertson Lane, said there were two items omitted on the agenda with background and suggested they be stricken from the agenda. She said it is disconcerting for tax payers when materials are missing. She asked that the Urban Land Institute be pushed back to FY 2012 due to current economic conditions. She requested a tour of the new Transit Facility. She said she supports Vanderlin.

Mr. Peter Hedlund, 204 Todd Ave., said he was happy to see the Old Lynchburg Road project on tonight's agenda. The Fry Springs neighborhood has wanted to see this

on the agenda for a long time. Safety is an issue for pedestrians and bicyclists on the road, which has no sidewalks. The Fry Springs neighborhood is pleased about the recently approved final plans for Azalea Park. He said this project addresses environmental issues and gives peace of mind for people who live and travel on that road.

Ms. Dede Smith, 2652 Jefferson Park Circle, said Council should be proud for approving and paying for the dredging study, because the information is affirmation that dredging is feasible. She said building a new dam provides only a 13% increase in the water supply, which is beyond where our existing water demand stands.

Ms. Ruth Burowski, 1206 Augusta Street, asked Council to discuss changing the Amherst St. garage exit design.

### **COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

Mr. Huja said Council supports energy efficiency.

Ms. Szakos asked for an explanation of the Burley School signs.

Ms. Edwards asked Maurice Jones to review the public process that was put into place with Rose Hill through the Planning Commission and how it came to be part of the consent agenda. She encouraged citizens to apply for openings on the Planning Commission. She asked to tour the new transit facility with Ms. Hall.

Mr. Jones explained that a group called the Burley Varsity Club has been working towards erecting two signs that would honor two of the coaches from when Burley School was an African American high school. They received permission to erect the signs, and Council will put \$1,000 towards the \$4,000 they want to raise for the signs. Regarding the Public Hearing for Rose Hill and the process with the Planning Commission, a sign was posted at the location one week prior to the hearing, and two advertisements were posted in the newspaper. Once it has gone through a public hearing with the Planning Commission, an item can be placed on Council's consent agenda.

Mr. Norris said we need to make sure we have background materials available. He reiterated Mr. Huja's statement that City Council is committed to promoting Clean Energy locally and nationally. We do have the Local Energy Alliance Program (LEAP), which has one of the boldest energy efficiency funding initiatives. He asked for comments from staff about dredging and agreed that now that the second phase of the report it is a promising document. He asked for a recommendation from staff on next steps for dredging so we do not have to wait another year if the report conclusions about the viability of dredging hold water. He clarified that Council still wants the results of the demand supply.

### **CONSENT AGENDA**

Mr. Huja removed Recommendation for SUP – 1147 Rose Hill Drive from the agenda.

Ms. Edwards commented on the Ordinance regarding new utility rates and service fees. She said there are too many questions, a lot of decisions have not been made, and she does not agree with the increase.

On motion by Ms. Szakos, seconded by Mr. Huja, the following consent agenda items were approved by the following vote. Ayes: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

- a. Minutes of June 7
- b. **APPROPRIATION**      \$1,999,244 – New Fire Trucks and Related Equipment Purchase (2nd of 2 readings)
- c. **APPROPRIATION**      \$77,100 – Reprogramming of CDBG and HOME Funds (2nd of 2 readings)
- d. **APPROPRIATION**      \$40,727 – Piedmont Workforce Network American Recovery and Reinvestment Act Youth Employment Program (1st of 2 readings)
- e. **APPROPRIATION**      \$10,000 – Metro Planners Conference (1st of 2 readings)
- f. **RESOLUTION**      \$1,000,000 Street Repaving
- g. **RESOLUTION**      Renewal of CACVB Leases of Transit Center Space
- h. **RESOLUTION**      Acquisition of Land for Greenbelt Trails
- i. **RESOLUTION**      Recommendation for SUP – 1111 Wellford St.
- j. **RESOLUTION**      Burley School Historic Signs - \$1,000
- k. **RESOLUTION**      Amendments to Zoning Ordinance to address percentages of mixed-use development
- l. **ORDINANCE**      AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE (2<sup>nd</sup> reading)
- m. **ORDINANCE**      AN ORDINANCE TO AMEND AND REORDAIN SECTION 34-420 (Use matrix – Residential zoning districts.) OF ARTICLE III (Residential Zoning Districts) OF CHAPTER 34 (ZONING) TO REVISE AND ADJUST CERTAIN LAND USES ALLOWED IN RESIDENTIAL DISTRICTS.

(2<sup>nd</sup> reading)

- n. **ORDINANCE** AN ORDINANCE APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT 834 PROSPECT AVENUE TO MCINTIRE-5th RESIDENTIAL (2<sup>nd</sup> reading)
- o. **ORDINANCE** AMENDING AND REORDAINING SECTION 15-204 OF ARTICLE V OF CHAPTER 15 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, EXPANDING PERMIT PARKING ZONE 7. (2<sup>nd</sup> reading)
- p. **ORDINANCE** AN ORDINANCE TO AMEND AND REORDAIN SECTION 34-618 AND SECTION 34-638 OF ARTICLE VI (MIXED-USE CORRIDOR DISTRICTS) OF CHAPTER 34 (ZONING) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, TO REDUCE THE MINIMUM STREETWALL HEIGHT IN THE WEST MAIN NORTH (WMN) AND WEST MAIN SOUTH (WMS) CORRIDOR DISTRICTS. (2<sup>nd</sup> reading)
- q. **ORDINANCE** AN ORDINANCE AMENDING AND REORDAINING ARTICLE I (Administration), ARTICLE XI (Mixed Use Corridor Districts), ARTICLE IX (Generally Applicable Regulations) AND ARTICLE X (Definitions) OF CHAPTER 34 (ZONING) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, RELATING TO MUSIC HALLS, INCREASED BUFFER REQUIREMENTS IN LOW DENSITY RESIDENTIAL DISTRICTS, AND CHANGES TO THE USE MATRIX FOR MIXED USE DISTRICTS. (carried over)

**REPORT/RESOLUTION:** URBAN LAND INSTITUTE TAP

Mr. Tolbert presented to Council on the Urban Land Institute TAP. Staff chose Avon because they are preparing to start work on the bridge, and this study can help inform the aesthetics of the design. The Housing Authority will purchase a piece of property on Avon Street as part of the redevelopment efforts, which can help inform the process and generate additional development in that area.

Mr. Norris said he is pleased to hear there will be a focus on pedestrian/bike safety, which is a growing concern. He asked if it were possible to look at Friendship Court, a block to the west, which is also likely to be redeveloped in the next 10-15 years. He asked for thoughts on the broader pattern of development. Mr. Tolbert said they are at a stage where they can draw a boundary anywhere. Mr. Huja said it would be interesting to look at downtown Belmont also. Mr. Huja said the Planning Commission should be involved throughout the process. Ms. Szakos recommended seeking fresh views and expertise we do not have on staff. Ms. Edwards said Cherry Avenue has been neglected too long, and she will be vigilant about watching the process to support Cherry Avenue development.

On motion by Mr. Huja, seconded by Ms. Szakos, a resolution authorizing staff to negotiate the terms of a study and presenting a final contract with the Urban Land Institute to the City Council for approval was approved by the following vote. Ayes: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

**PUBLIC HEARING/REQUEST FOR EASEMENT FROM UVA**

Mr. Brown presented to Council. The public hearing was opened. As there were no speakers, the public hearing was closed. On motion by Mr. Huja, seconded by Ms. Szakos, the ordinance will carry forward to the next meeting.

**REPORT: OLD LYNCHBURD ROAD**

Mr. Tony Edwards, city engineer, updated Council on Old Lynchburg Road. After three public meetings with citizen special groups, they have settled on a preliminary design. Challenges in this project have been identified, such as no bike lanes, poor sight distance for the traveling public, and drainage issues due to heavy vegetation. Mr. Edwards reviewed the plan, which included a Best Management Practices (BMP) water quality feature, sidewalks and bike lanes, and retaining walls. He said the project is designed with safety features such as raised curb planted islands to divide travel lanes, textured roadway and improved signage. The final design will be ready by the fourth quarter of this year.

Mr. Norris asked if we could start construction by next summer if the funding is available. The CIP budget does not project it to start until 2013. Mr. Huja also voiced support for moving up the funding to be able to start construction next summer. Ms. Szakos asked if segmentation were possible. Mr. Edwards said it is possible to phase the project. Ms. Edwards asked if we could explore alternate funding and workforce development opportunities. Ms. Szakos said we should explore a rainwater demonstration project and seek alternate funding for that purpose. Mr. Norris said he wants to get full construction under way by next summer and asked Mr. Jones to explore this.

**REPORT: TRANSIT STATION SERVICES**

Ms. Mueller presented to Council on Transit Station services. Our contract for disposal services ended June 30<sup>th</sup>, partly because of the changes in our contract with Rivanna. At that time we were having trash delivered to Republic Services, formerly BFI, because there were not alternatives at the Ivy Landfill. We had three bids this year. Accepting the lowest bid would provide substantial savings to us in our budget for next year. A second bid would allow us to run trash through a recycling service to increase our recycling rate for an additional \$6 per ton. Mr. Brown has laid out the legal process. A major education campaign is planned for citizens, as we do not want citizens to stop curbside recycling, which is free. Staff is also exploring covered bins to keep curbside recycling dry.

Ms. Szakos said this addresses concerns we have had and affirmed that Council wants to keep curbside recycling and continue the highest grade recycling. She said she was concerned the McIntire Recycling Center could be a victim of this decision. Ms. Mueller said the McIntire Center will not be impacted. Mr. Huja seconded Ms. Szakos's comments. On motion by Ms. Edwards and seconded by Mr. Huja, Council gave unanimous approval to move forward with Ms. Mueller's recommendation.

**REPORT: NEW TRANSIT STATION**

Ms. Mueller presented on the new CAT (Charlottesville Area Transit) administrative, maintenance and operations base on Avon Street. The building is environmentally efficient and energy sensitive. There is parking for 40 buses and is designed for a 50% growth capacity. Ms. Mueller described security features and enumerated site design features of the new facility. The project is on track to be LEED certified, and it currently appears to be a solid candidate for Gold level certification. She invited citizens to come tour the facility.

Ms. Szakos said it is important to remember how much money this state of the art building will save for the City over the course of time. There are several money saving mechanisms in place throughout the facility. Mr. Norris thanked Ms. Mueller for her very impressive work.

**REPORT: SUMMER YOUTH INTERNSHIP PROGRAM**

Heather Kellams presented on the Community Attention Youth Internship Program, which starts this summer. She said her goal as director is to grow the program to serve another 100 students in the summer of 2011. The program accepted 60 more candidates than we did last summer but had to turn down 105. They are exploring private foundations and funding sources. The program received 256 applications from area high schools and middle schools. They interviewed 248 face to face. Ms. Kellams thanked the school staff for being accommodating during a tight academic time. Of the 143 interns who were selected to participate, 80 were sponsored by the City. She thanked the City for being supportive and opening their offices to mentor these youth. A handful of sites promise employment to successful interns. Ms. Kellams will share essays with Council towards the end of summer.

Mr. Huja said he appreciates Ms. Kellams' enthusiasm. He asked if UVA was one of the sites hosting interns. UVA Human Resources, the Housing Division, Dining Services, Medical Services, Architecture Services, and UVA Semester at Sea are hosting interns.

Ms. Edwards asked where the interns can get their checks cashed and whether or not some of the youth were opening savings accounts. She expressed concern that some of the banks will take large fees if students do not have accounts. Ms. Kellams said they work with SunTrust and they have been excellent in accommodating the interns. Mr.

Huja said we should emphasize the importance of saving as part of the orientation process.

Mr. Norris said this is one of the best things we do here at City Hall and thanked Ms. Kellams for continuing to grow this program with the relatively small amount of money we have to dedicate to it each year. He said he fully supports any effort we can make to grow this program so we do not have to turn applicants away. We should look at larger businesses offering sponsorships going forward after a few successful years of this pilot run.

**RESOLUTION: RECOMMENDATION FOR SUP – 1147 ROSE HILL DRIVE**

Mr. Huja said there are concerns we should address on conditions for the site. Regarding traffic on Amherst, he asked to add a sixth condition, that the parking garage be designed to only allow outgoing traffic to turn left, with no right turn to Amherst. This will direct traffic away from neighborhood.

On motion by Mr. Huja and seconded by Ms. Szakos, Council unanimously approved the sixth condition.

Mr. Norris said Item 2 regarding shift changes seemed nebulous. Mr. Lowe explained that it encourages most business activity to go on during normal business hours. They are looking to prevent a 24-hour operation of a technology based business, no matter how small of an imprint that was making. Ms. Szakos said it was intended to prevent a large number of people from leaving the building at the same time during odd hours.

On motion by Mr. Huja, seconded by Ms. Szakos, the RESOLUTION GRANTING A SPECIAL USE PERMIT TO GREENLEAF CENTER, LLC TO ALLOW A TECHNOLOGY-BASED BUSINESS AT 1147 ROSE HILL DRIVE was approved by the following vote: Ayes: Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

**MATTERS BY THE PUBLIC**

Ms. Ruth Barolsky, 1206 Augusta Street, said she does not see how the added condition solves the problem for Rose Hill. She asked for advice on how to make sure neighborhood concerns are being listened to.

Mr. Tom Bow, 1211 Augusta St., appreciated Mr. Huja trying to find a solution. He said he would much prefer there not be any entrance on their neighborhood street. He is concerned about property values and the intent of the owner to sell. This is a quantum leap in development. Citizens do not have the resources to fight this, so they are dependent on Council and NDS to help protect us.



Mr. Downing Smith, 810 Locust Ave., said he was impressed with recycling, the new building, and the internship program. Saturday, June 5<sup>th</sup> was National Trails Day and Clean the Bay Day, sponsored by the Chesapeake Bay Foundation, Rivanna Trails, and the Parks and Recreation Department. He said they should get credit for their participation. He said that even though Council put the Neighborhood Advocate position on hold, we could have ombudsmen in the meantime to help individuals and neighborhoods to get the services they need from the City.

Neil Williamson, 550 Hillsdale Dr., spoke on the community water supply plan. He appreciated the scope of reporting and questions that are being asked. He encouraged Council to hold to their timeline for decision making and reminded them that they will never have all the answers.

### **COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

Mr. Norris said he recognizes that neighborhoods are at the mercy of a process that is a mystery in many ways. We need a better way of informing neighborhoods about the processes and plans that affect their neighborhoods. We will ask staff to address concerns using our world class traffic engineer. The scale of development is more of a zoning issue, and we need to educate neighborhoods about zoning uses and what is allowable in various instances. Mr. Jones will follow up with staff to work with you on some of these issues.

Mr. Jones said there is a difference between minimum legal requirements of notification versus being more proactive in communicating with neighborhoods. Staff will examine different ways of notification beyond what we are required to do. Ms. Szakos seconded the suggestion. She said because of the size of the building and the scope of project, the developer could have done it with no input because it is zoned as private property, so it is fortunate that they requested a SUP for a tech company because it gives the neighborhood more control. There are positive results that have come from this process.

The meeting was adjourned.

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President

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Clerk