



**CITY COUNCIL AGENDA  
October 21, 2013**

4:00 p.m. – 7:00 p.m.

**Closed session as provided by Section 2.2-3712 of the Virginia Code  
(Second Floor Conference Room)**

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL  
AWARDS/RECOGNITIONS  
ANNOUNCEMENTS**

First Baptist Church 150 Year Anniversary; Pastoral Care Week

**MATTERS BY THE PUBLIC**

Public comment will be permitted for the first 12 speakers who sign up in advance of the meeting (limit of 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

**COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

**1. CONSENT AGENDA\***

(Items removed from the consent agenda will be considered at the end of the regular agenda.)

a. Minutes for October 7

**b. APPROPRIATION:**

**Gordon Avenue Library Masonry Project – Albemarle County Reimbursement - \$1,487.50  
(2<sup>nd</sup> of 2 readings)**

**c. APPROPRIATION:**

**Central Library Elevator Replacement – Albemarle County Joint Project Reimbursement – \$4,708.19 (2<sup>nd</sup> of 2 readings)**

**d. APPROPRIATION:**

**Emergency Solutions Grant - \$57,715 (2<sup>nd</sup> of 2 readings)**

e. APPROPRIATION:

State Criminal Alien Assistance Program (SCAAP) Grant for 2012-H4398-VA-AP for \$9,634 (1<sup>st</sup> of 2 readings)

f. APPROPRIATION:

Charlottesville Area Transit Insurance Claim Recovery - \$9,321.20 (1<sup>st</sup> of 2 readings)

g. APPROPRIATION:

Community Development Block Grant Funds for VIEW (Virginia Initiative for Employment not Welfare) Career Training - \$12,955 (1<sup>st</sup> of 2 readings)

h. APPROPRIATION:

Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (1<sup>st</sup> of 2 readings)

**i. RESOLUTION:**

**Blue Ridge Juvenile Detention Commission Agreement Amendment (1<sup>st</sup> of 1 reading)**

**j. RESOLUTION:**

**Parking Ticket Waiver Program (1<sup>st</sup> of 1 reading)**

**k. ORDINANCE:**

**250 Bypass Speed Limits (2<sup>nd</sup> of 2 readings)**

**l. ORDINANCE:**

**Dominion Power Easement for Undergrounding Lines at Meadow Creek Gardens Park (2<sup>nd</sup> of 2 readings)**

**m. ORDINANCE:**

**Convey Right of Way at Meadowbrook Heights (2<sup>nd</sup> of 2 readings)**

**n. ORDINANCE:**

**Rivanna Water and Sewer Authority Easement for Rivanna Pump Station (2<sup>nd</sup> of 2 readings)**

**2. RESOLUTION\***

**Transfer of Funds to Construct a Section of Hillsdale Drive - \$300,000 (1<sup>st</sup> of 1 reading)**

**3. RESOLUTION\***

**Hillsdale Drive Phase II Improvements -City/CEDA Agreement (1<sup>st</sup> of 1 reading)**

**4. RESOLUTION\***

**Revisions to the Architectural Design Control (ADC) Districts Design Guidelines for Long-Term Tents and Murals (1<sup>st</sup> of 1 reading)**

**5. RESOLUTION\***

144 Chancellor Street – Appeal of BAR Decision (1<sup>st</sup> of 1 reading)

**6. REPORT\***

Strategic Action Team: Growing Opportunity Implementation Plan

**7. REPORT**

City Market Study

**OTHER BUSINESS  
MATTERS BY THE PUBLIC**

\*ACTION NEEDED

**APPROPRIATION.**

**Albemarle County Reimbursement for the Gordon Avenue Library Masonry Project  
\$1,487.50.**

**WHEREAS**, Albemarle County has submitted payment to the City of Charlottesville in the amount of \$1,487.50.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$1,487.50 from Albemarle County is hereby appropriated in the following manner:

**Revenues - \$1,487.50.**

Fund: 426                      Funded Program: CP-011 (P-00601-05)                      G/L Account: 432030.

**Expenditures - \$1,487.50.**

Fund: 426                      Funded Program: CP-011 (P-00601-05)                      G/L Account: 599999.

**APPROPRIATION.**

**Albemarle County Reimbursement for the Central Library Elevator Replacement Project  
\$4,708.19.**

**WHEREAS**, Albemarle County has submitted payment to the City of Charlottesville in the amount of \$4,708.19.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that \$4,708.19 from Albemarle County is hereby appropriated in the following manner:

**Revenues - \$4,708.19.**

Fund: 426                      Funded Program: CP-012 (P-00675-01)                      G/L Account: 432030.

**Expenditures - \$4,708.19.**

Fund: 426                      Funded Program: CP-012 (P-00675-01)                      G/L Account: 599999.

**APPROPRIATION.**  
**Emergency Solutions Grant.**  
**\$57,715.**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, has received the Emergency Solutions Grant from the Virginia Department of Housing and Community Development in the amount of 57,715;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$57,715 is hereby appropriated in the following manner:

**Revenues.**

\$57,715      Fund: 209      IO: 1900208      G/L: 430120 State (Federal Pass-Thru).

**Expenditures.**

\$57,715      Fund: 209      IO: 1900208      G/L: 530550 Contracted Services.

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$57,715 in funds from the Virginia Department of Housing and Community Development.

**A RESOLUTION  
TO AMEND AND READOPT ARTICLE 1, AND SECTIONS 3.7 AND 4.1 OF THE  
SERVICE AGREEMENT FOR  
THE BLUE RIDGE JUVENILE DETENTION COMMISSION**

WHEREAS, the Counties of Albemarle, Culpeper, Fluvanna and Greene and the City of Charlottesville (the “Member Jurisdictions”) have previously created the Blue Ridge Juvenile Detention Commission (the “Commission”) and adopted an agreement dated July 1, 1999, and amended July 2, 2007 (the “Service Agreement”) that established their respective rights and obligations regarding the juvenile detention center financed, constructed and operated by the Commission; and

WHEREAS, the method prescribed by the Service Agreement for allocation of the operating costs of the detention center has required each Member Jurisdiction to prepay a share of those costs at the beginning of each Fiscal Year based on its usage in the preceding year, with that payment then being adjusted at the end of the Fiscal Year to reflect the percentage actually used by each member; and

WHEREAS, each year that method has caused some Member Jurisdictions to have to make supplemental year-end appropriations to cover their obligations to the Commission; and

WHEREAS, declining numbers of juvenile offenders detained at the juvenile detention center have caused the numbers detained from the Member Jurisdictions to fluctuate more from year to year, making budgeting more difficult and increasing the likelihood that some Member Jurisdictions will have to make such supplemental appropriations; and

WHEREAS, viewed over a longer time the relative usage of the Member Jurisdictions tends to be more stable; and

WHEREAS, the Member Jurisdictions wish to amend the Service Agreement to base the Member Jurisdictions’ future relative annual contributions to operating costs on their respective aggregate percentages of usage during the preceding three years, without making subsequent annual year-end adjustments based on actual usage, now therefore, be it

**Resolved by the Blue Ridge Juvenile Detention Commission, the Boards of Supervisors of Albemarle, Culpeper, Fluvanna and Greene Counties and the Council of the City of Charlottesville that:**

1. The Service Agreement is amended by amending existing Sections 3.7 and 4.1, as follows:

**Section 3.7 Annual Budget** On or before each December 1, the Commission shall provide to each Member Jurisdiction the Commission’s Annual Budget for the next Fiscal Year, including any proposed capital projects. For each Fiscal Year in which the Detention Center will be in operation, or in which Obligations will be outstanding, such Annual Budget shall set forth the Annual Member Operating Charge, for each Member Jurisdiction, which shall be based upon that Member Jurisdiction’s respective percentage of the total usage of the Detention Center by all Member Jurisdictions during the preceding three Fiscal Years. The Commission agrees to set

such Annual Member Operating Charges, that are sufficient to generate revenue adequate to pay Net Expenses and to fund any required reserves attributable to the care, maintenance and subsistence of Detainees. The Commission further agrees to revise such Annual Member Operating Charges as necessary to offset any non-payment by a Member Jurisdiction or unanticipated material decrease in revenue from the Commonwealth. The Commission also agrees to set, and to revise immediately as necessary to reflect any failure of a Member Jurisdiction to pay in accordance with the provisions of Section 4.1, Annual Member Debt Service Charges for Culpeper, Fluvanna and Greene, likewise based on their respective shares of all Member Jurisdictions' total usage of the Detention Center during the three immediately preceding Fiscal Years in amounts sufficient to repay their respective shares of the debt service prepaid by Albemarle and Charlottesville on the Commission's outstanding Obligations as described in Section 4.1 (a) below.

Within ten days of any revision to the Annual Member Operating or Debt Service Charges the Commission shall notify each Member Jurisdiction of such revision. Any such revision to the Annual Member Operating or Debt Service Charges will be based on factors affecting the Detention Center's revenues or expenditures, including but not limited to changes in assumed or actual occupancy levels, operating expenses, State operating or capital cost reimbursement, and any nonpayment of Annual Member Operating or Debt Service Charges by any Member Jurisdiction or other jurisdiction housing Detainees at the Detention Center. The Commission shall promptly provide copies of any amendments to its Annual Budget to each Member Jurisdiction.

#### **Section 4.1. Payments from Member Jurisdictions.**

(a) The objective of this Agreement is to provide the Commission, in each Fiscal Year in which the Detention Center is in operation, with sufficient revenues to fund fully the Commission's Expenses for such year. The Member Jurisdictions have agreed that the operating cost portion of such Expenses will be shared among them in proportion to their respective three prior Fiscal Years' usage of the Detention Center, and to that end have agreed to pay the Annual Member Operating and Debt Service Charges, as described in Sections 3.7 and 4.1(c), for the detainees they commit to the Commission's custody. The Member Jurisdictions have further agreed that the debt service portion of the Commission's expenses will be allocated among the Member Jurisdictions except Albemarle and Charlottesville by billing Culpeper, Fluvanna and Greene the Annual Member Debt Service Charge based on their respective percentages of all Member Jurisdictions' total usage of the Detention Center during the immediately preceding three Fiscal Years. Albemarle and Charlottesville agree, however, that their share of the debt service will be calculated by applying the payments of Culpeper, Fluvanna and Greene as credits against the debt service Albemarle and Charlottesville have prepaid as set forth in the next paragraph below, crediting 50% to Albemarle and 50% to Charlottesville. Notwithstanding the foregoing, no Member Jurisdiction's Annual Member Debt Service Charge shall be less than five percent of total debt service, (the equivalent of usage of 5% of the Detention Center's rated capacity of 40 beds.)

To facilitate issuance of the Commission's obligations at the most favorable interest rate, Albemarle and Charlottesville have further agreed to prepay 100% of each

Commission debt service payment (divided equally between them) before it becomes due, and thereafter to receive credits, also applied equally, for the Annual Member Debt Service Charges received from other Member Jurisdictions, all in the manner described in Section 4.1(e) below. The net result shall be that Albemarle and Charlottesville each shall pay 50% of the debt service on the Commission's obligations not paid by the other Member Jurisdictions. This Agreement with respect to debt service allocation shall apply to all obligations issued to fund pre-opening and financing expenses, capitalized interest, required initial reserves for operations and debt service, land acquisition, design, construction and equipment of the Detention Center.

(b) Beginning July 1 2014, the Commission shall establish in its Annual Budget for the Fiscal Year, Annual Member Operating Charges for the care, maintenance, transportation and subsistence of Detainees from Member Jurisdictions equal in the aggregate to the Commission's Projected Net Expenses. Annual Member Operating Charges shall be determined by multiplying Projected Net Expenses (excluding debt service and related payments on Obligations, but including any required deposits to a repair or replacement reserve fund related to such Obligations) for such Fiscal Year by the ratio of each Member Jurisdiction's Detainee Days to the Commission's total Member Jurisdiction Detainee Days during the preceding three Fiscal Years. The Annual Member Debt Service Charges shall be determined as set forth in paragraph 4.1(a) above.

(c) The Annual Member Operating Charges shall be collected in quarterly installments in advance of each quarter of each Fiscal Year. Such amounts shall be invoiced by the Commission to each Member Jurisdiction by the first day of each quarter of each Fiscal Year and shall be payable no later than the last day of the first month of each quarter.

(d) The Annual Member Debt Service Charges shall be collected in advance for each quarter of each Fiscal Year. Such amounts shall be invoiced by the Commission to each Member Jurisdiction by the first day of each quarter of each Fiscal Year and shall be payable no later than the last day of the first month of each quarter. Such advance payments shall be subject to annual adjustments based upon actual usage after the end of each Fiscal Year, as described in Section 4.1(e) below.

(e) Notwithstanding the foregoing paragraph, the prepayments due from Albemarle and Charlottesville in each quarter shall be calculated to total in the aggregate 100% of one quarter of the Commission's annual debt service, allocated 50% to Albemarle and 50% to Charlottesville. The quarterly payments received by the Commission in each quarter from Culpeper, Fluvanna and Greene shall be applied equally against the next quarterly payments due from Albemarle and Charlottesville.

(f) Except for the payment of the Annual Member Operating and Debt Service Charges attributable to the Detainees whom it has actually committed to the Commission, the obligation of each Member Jurisdiction to pay Annual Member Operating and Debt Service Charges shall be subject to and contingent upon appropriations being made for such purposes by the governing body of such Member Jurisdiction. Those governing bodies hereby direct their respective chief executive officers to include in their annual budget and appropriation requests to the governing

bodies funds sufficient to pay such Annual Member Operating and Debt Service Charges expected to come due during the Fiscal Year for which such budgets are applicable.

(g) The Commission shall notify all Member Jurisdictions not later than 30 days after any payment due date if a Member Jurisdiction fails to pay any charge when due, and shall pursue with diligence the collection of such past due amount. If not paid when due, the charge shall bear interest at a rate determined by the Commission until paid; however, this provision shall not apply in instances where Applicable Law prescribes some other due date or late payment charge. The notice shall include a statement of the Commission's intention to adjust the remaining payments due during the Fiscal Year (and thereafter if such default is not cured) from all non-defaulting Members and shall state the amount of the adjusted charge. The adjustment shall be based upon a reallocation of Annual Member Operating and Debt Service Charges to all non-defaulting Members. Upon payment in full of the amount in arrears by the defaulting Member Jurisdiction, the Commission shall readjust Annual Member Charges to pre-default levels and credit all non-defaulting Members in the appropriate amount for any excess payments previously made at the default adjusted rate. The Commission shall make other adjustments as may be necessary to the Annual Member Charges during the Fiscal Year to meet Expenses and to comply with any covenants entered into in connection with any Obligations.

2. These amended sections shall be effective for the Fiscal Year beginning July 1, 2014.



## **RESOLUTION**

### **Proposed One-Time Fine Waiver for Parking Tickets**

**BE IT RESOLVED** by the City Council of the City of Charlottesville that the City Manager be authorized to design and implement a one-time fine waiver program for tickets issued in the downtown parking corridor.

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 15-99  
OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)  
OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
RELATED TO SPEED LIMITS ON SPECIFIC STREETS.**

**WHEREAS**, the City contracted with RK&K, Traffic Consultants, to perform a traffic engineering study and traffic surveys on various streets within the City of Charlottesville, and such study and surveys were completed in March of 2012; and

**WHEREAS**, RK&K submitted the report entitled “U.S. 250 Speed Study”, dated March 21, 2012, to the City Traffic Engineer, who concurs with the recommendations made by RK&K for appropriate speed limits (from an engineering and safety standpoint) on various streets, including the Route 250 Bypass;

**WHEREAS**, subsequent to the submission of the speed study, construction of the Route 250 Interchange project commenced, and RK&K issued an update of the study dated September 9, 2013. RK&K noted that the ongoing construction has altered the road significantly in terms of composition - width, elevation, geometry and temporary entrances, resulting in the need to reduce speed limits in the construction zone for the duration of the project; now, therefore

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 15-99 of Article IV (Speed Limits) of Chapter 15 (Motor Vehicles and Traffic) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

**Sec. 15-99. Maximum limits on specific streets.**

Pursuant to a traffic engineering and traffic survey as required by Code of Virginia, section 46.2-1300, the following speed limits are imposed as hereinafter set forth and no person shall drive a vehicle at a speed in excess of such limits:

**CURRENT SPEED LIMITS**

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Speed Limit (MPH)</b>
<del>Route 250 By-Pass (Westbound)</del>	<del>East corporate limits</del>	<del>Westernmost McIntire Park Entrance</del>	<del>35</del>
<del>Route 250 By-Pass (Westbound)</del>	<del>Westernmost McIntire Park Entrance</del>	<del>West corporate limits</del>	<del>45</del>
<del>Route 250 By-Pass (Eastbound)</del>	<del>West corporate limits</del>	<del>Four hundred feet west of Emmet Street southbound ramp</del>	<del>55</del>
<del>Route 250 By-Pass (Eastbound)</del>	<del>Four hundred feet west of Emmet Street southbound ramp</del>	<del>Westernmost McIntire Park Entrance</del>	<del>45</del>

<del>Route 250 By-Pass (Eastbound)</del>	<del>Westernmost McIntire Park Entrance</del>	<del>East corporate limits</del>	<del>35</del>
<del>McIntire Road</del>	<del>Preston Avenue</del>	<del>Route 250 By-Pass</del>	<del>35</del>

**NEW SPEED LIMITS**

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Speed Limit (MPH)</b>
<u>Route 250 By-Pass (Westbound)</u>	<u>East corporate limits</u>	<u>Five Hundred feet west of Park Street off ramp</u>	<u>35</u>
<u>Route 250 By-Pass (Westbound)</u>	<u>Five Hundred feet west of Park Street off ramp</u>	<u>Eight hundred feet west of Birdwood Road</u>	<u>25</u>
<u>Route 250 By-Pass (Westbound)</u>	<u>Eight hundred feet west of Birdwood Road</u>	<u>Westernmost McIntire Park Entrance</u>	<u>35</u>
<u>Route 250 By-Pass (Westbound)</u>	<u>Westernmost McIntire Park Entrance</u>	<u>West corporate limits</u>	<u>45</u>
<u>Route 250 By-Pass (Eastbound)</u>	<u>West corporate limits</u>	<u>Four hundred feet west of Emmet Street southbound ramp</u>	<u>55</u>
<u>Route 250 By-Pass (Eastbound)</u>	<u>Four hundred feet west of Emmet Street southbound ramp</u>	<u>Four hundred fifty feet west of Birdwood Road</u>	<u>45</u>
<u>Route 250 By-Pass (Eastbound)</u>	<u>Four hundred fifty feet west of Birdwood Road</u>	<u>Five hundred fifty feet east of McIntire Road</u>	<u>25</u>
<u>Route 250 By-Pass (Eastbound)</u>	<u>Five hundred fifty feet east of McIntire Road</u>	<u>East corporate limits</u>	<u>35</u>
<u>McIntire Road</u>	<u>Preston Avenue</u>	<u>Three hundred fifty feet south of Harris Street</u>	<u>35</u>
<u>McIntire Road</u>	<u>Three hundred fifty feet south of Harris Street</u>	<u>Route 250 By-Pass</u>	<u>25</u>

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF AN EASEMENT  
TO DOMINION VIRGINIA POWER  
ACROSS CITY-OWNED LANDS KNOWN AS  
MEADOW CREEK GARDENS PARK**

**WHEREAS**, Dominion Virginia Power has requested this Council to grant an easement across property owned by the City of Charlottesville, Virginia, known as Meadow Creek Gardens Park located off Morton Drive (City Tax Map Parcel 40A-16), as shown on the attached Easement Plan dated August 23, 2013, for the installation of underground electric lines and equipment; and

**WHEREAS**, relocation of certain existing overhead electrical lines to underground locations will minimize maintenance of the lines and protect major transmission lines for Dominion Virginia Power, and reduce power interruption to the adjacent neighborhoods;

**WHEREAS**, following notice to the public pursuant to Va. Code §15.2-1800(B), a public hearing by the City Council was held on September 16, 2013, and comments from the City staff, and the public were made and heard; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Right of Way Agreement, in form approved by the City Attorney, granting the above-described easement to Dominion Virginia Power.

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF  
CITY-OWNED PROPERTY (MEADOWBROOK HEIGHTS ROAD RIGHT OF WAY)  
TO EDWARD AND CAROLYN LOWRY**

**WHEREAS**, Edward and Carolyn Lowry, the owners of property designated as Parcel 2 on City Real Estate Tax Map 41D (1808 Meadowbrook Heights Road), wish to acquire a portion of the adjoining Meadowbrook Heights Road right of way, as shown on the attached plat dated September 27, 2013; and

**WHEREAS**, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the proposed conveyance of the City property as requested by the Lowrys; and

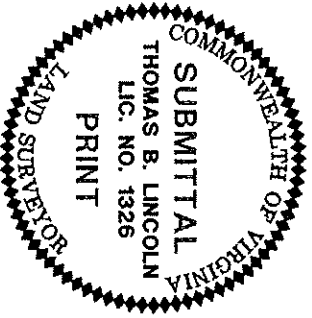
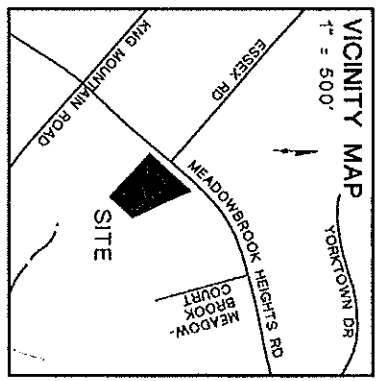
**WHEREAS**, a storm drain line maintained by the City is located in the northeastern portion of the Lowry property, and crosses that portion of the Meadowbrook Heights Road right of way proposed for conveyance; and

**WHEREAS**, the City Assessor, Department of Neighborhood Services, and Department of Public Works have reviewed the proposed conveyance and have no objection thereto, provided the Lowrys agree to grant the City a permanent easement for maintenance of the storm drain line shown on the attached plat;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is authorized to execute a deed of quitclaim, in form approved by the City Attorney, for that portion of the Meadowbrook Heights Road right of way, approximately 1,459 square feet in area, adjacent to Parcel 2 on City Tax Map 41D, and shown on the attached plat dated September 27, 2013. Compensation to the City for the conveyance shall be \$5,800.00. The City Attorney is hereby authorized to take whatever steps are necessary to effect the closing of said property conveyance.

**SUBDIVISION PLAT SHOWING PARCEL "X" BEING A PORTION OF MEADOWBROOK HEIGHTS ROAD RIGHT-OF-WAY HEREBY BEING ADDED TO AND BECOMING A PORTION OF LOT 15 BLOCK D SECTION THREE "RUTLEDGE" CHARLOTTESVILLE, VIRGINIA SEPTEMBER 27, 2013**

AREA TABULATION:  
 28,227.87--EXISTING LOT 15  
 + 1,458.89--PARCEL "X"  
 = 29,686.76--NEW LOT 15



I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS. I ALSO CERTIFY THAT THE BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY.

SHEET 1 OF 3

Innovation. Integrity. Vision.  
 632 BERKMAR CIRCLE  
 CHARLOTTESVILLE, VIRGINIA 22901  
 OFFICE: 434-974-1417  
 91006201.SP MAD63.13282.PRC 91-0062-01



MEADOWBROOK HEIGHTS ROAD IS THE NAME CURRENTLY IN USE FOR THE ROAD FORMERLY KNOWN AS--AND SHOWN ON "RUTLEDGE" SUBDIVISION PLATS AS MEADOWBROOK ROAD. PARCEL "X" IS A PORTION OF THE MEADOWBROOK HEIGHTS ROAD RIGHT OF WAY AND IS HEREBY ADDED TO AND BECOMES A PORTION OF TAX MAP 41D PARCEL 2 (LOT 15 BLOCK D SECTION THREE "RUTLEDGE". TAX MAP 41D PARCEL 2 IS ZONED: R-1

EACH PARCEL CREATED BY THIS SUBDIVISION PLAT CONTAINS A BUILDING SITE THAT COMPLES WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTESVILLE'S ZONING, WATER PROTECTION AND SUBDIVISION ORDINANCE.

ANY STREAM BUFFER(S) SHOWN HEREON SHALL BE MAINTAINED IN ACCORDANCE WITH CHAPTER 10 OF THE CITY OF CHARLOTTE'S WATER PROTECTION ORDINANCE.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

SOME EASEMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.

SETBACKS FOR TWP 41D-2: (PER CITY ZONING ORDINANCE):  
 FRONT--25' OR AVERAGE EXISTING FRONT SETBACK WITHIN 500' IN EITHER DIRECTION  
 SIDE--10'  
 REAR--25'

OWNER'S APPROVAL:

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (PARCEL "X" BEING A PORTION OF THE MEADOWBROOK ROAD RIGHT OF WAY) IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES IF ANY.

SATYENDRA HUIA DATE \_\_\_\_\_  
CITY OF CHARLOTTESVILLE MAYOR

EDWARD B. LOWRY DATE \_\_\_\_\_

CAROLYN P. LOWRY DATE \_\_\_\_\_

NOTARY PUBLIC:

STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_

THE FOREGOING WAS ACKNOWLEDGED  
BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
20\_\_\_\_ BY \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC

NOTARY PUBLIC:

STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_

THE FOREGOING WAS ACKNOWLEDGED  
BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
20\_\_\_\_ BY \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC

CITY APPROVALS:

SECRETARY OF THE DATE \_\_\_\_\_  
PLANNING COMMISSION

CHAIRMAN OF THE DATE \_\_\_\_\_  
PLANNING COMMISSION

SUBDIVISION PLAT SHOWING  
PARCEL "X" BEING A PORTION OF  
MEADOWBROOK HEIGHTS ROAD RIGHT-OF-WAY  
HEREBY BEING ADDED TO  
AND BECOMING A PORTION OF  
LOT 15, BLOCK D  
SECTION THREE  
"RUTLEDGE"  
CHARLOTTESVILLE, VIRGINIA  
SEPTEMBER 27, 2013

NOTARY PUBLIC:

STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_

THE FOREGOING WAS ACKNOWLEDGED  
BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
20\_\_\_\_ BY \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

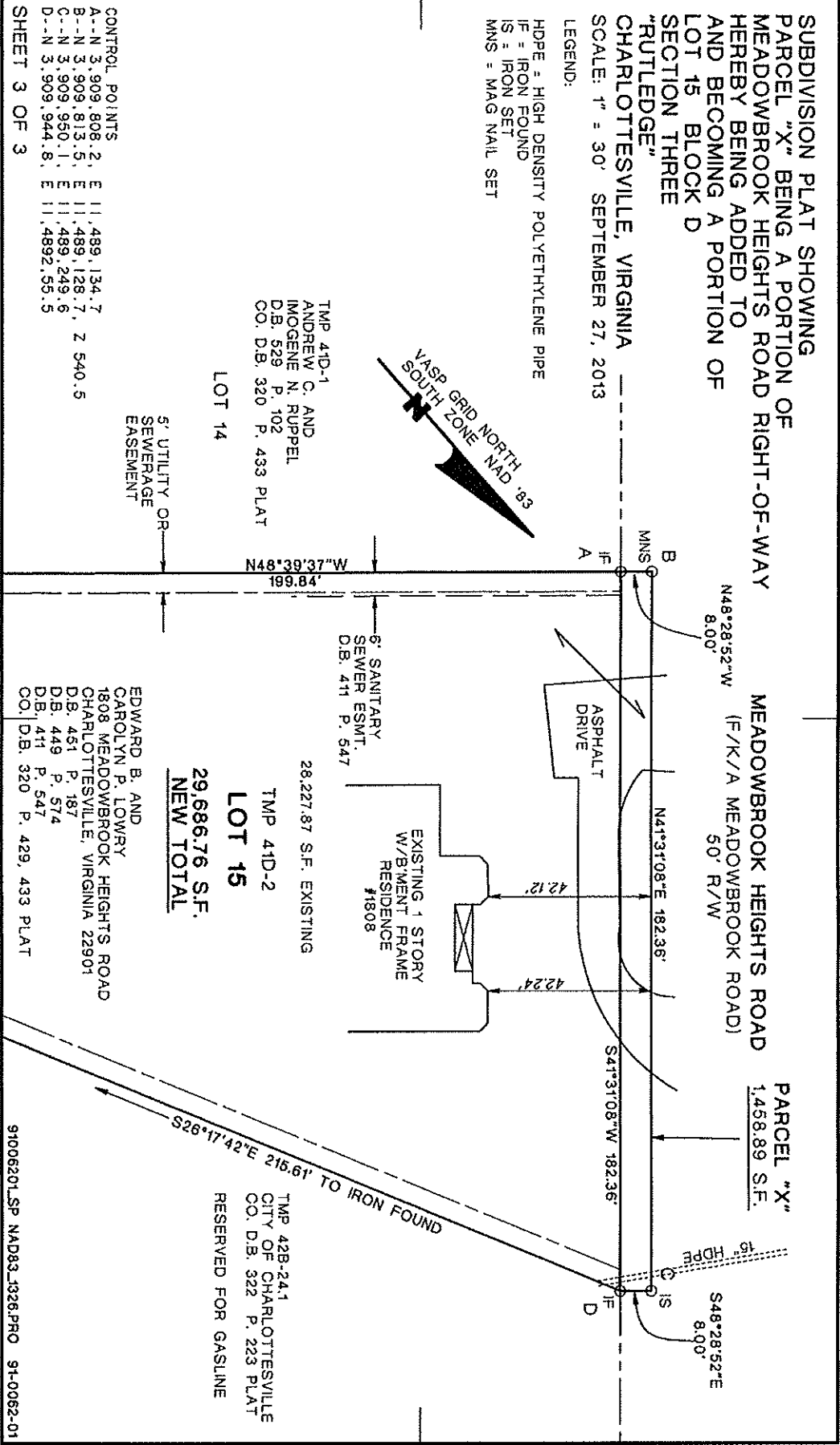
THIS SPACE RESERVED  
FOR NOTARY STAMP

THIS SPACE RESERVED  
FOR NOTARY STAMP

SUBDIVISION PLAT SHOWING  
 PARCEL "X" BEING A PORTION OF  
 MEADOWBROOK HEIGHTS ROAD RIGHT-OF-WAY  
 HEREBY BEING ADDED TO  
 AND BECOMING A PORTION OF  
 LOT 15 BLOCK D  
 SECTION THREE  
 "RUTLEDGE"  
 CHARLOTTESVILLE, VIRGINIA

SCALE: 1" = 30' SEPTEMBER 27, 2013

LEGEND:  
 HDPE = HIGH DENSITY POLYETHYLENE PIPE  
 IF = IRON FOUND  
 IS = IRON SET  
 MNS = MAG NAIL SET



TMP 41D-1  
 ANDREW C. AND  
 IMOGENE N. RUPPEL  
 D.B. 529 P. 102  
 CO. D.B. 320 P. 433 PLAT

EDWARD B. AND  
 CAROLYN P. LOWRY  
 1808 MEADOWBROOK HEIGHTS ROAD  
 CHARLOTTESVILLE, VIRGINIA 22901  
 D.B. 451 P. 187  
 D.B. 449 P. 574  
 CO. D.B. 320 P. 429, 433 PLAT

28,227.87 S.F. EXISTING  
 TMP 41D-2  
**LOT 15**  
**29,686.76 S.F.**  
**NEW TOTAL**

TMP 42B-24.1  
 CITY OF CHARLOTTESVILLE  
 CO. D.B. 322 P. 223 PLAT  
 RESERVED FOR GASLINE

CONTROL POINTS  
 A--N 3,909,806.2 E 11,489,134.7 Z 540.5  
 B--N 3,909,813.5 E 11,489,128.7  
 C--N 3,909,950.1 E 11,489,249.6  
 D--N 3,909,944.8 E 11,489,255.5

SHEET 3 OF 3

91006201.SP NAD83\_1326.PRO 91-0062-01



**AN ORDINANCE  
GRANTING PERMANENT AND TEMPORARY EASEMENTS TO THE  
RIVANNA WATER AND SEWER AUTHORITY  
FOR THE CONSTRUCTION OF SEWER FACILITIES RELATED TO  
THE NEW RIVANNA PUMP STATION NEAR RIVERVIEW PARK.**

**WHEREAS**, the Rivanna Water and Sewer Authority (“RWSA”) has requested the City of Charlottesville to grant permanent and temporary construction easements across a portion of City-owned property known as Riverview Park, as shown on the attached plat dated July 19, 2013; and

**WHEREAS**, the proposed easements will allow for the construction of new sanitary sewer facilities (interceptor tunnel extension and new pump station) and demolition of the existing Rivanna Pump Station; and

**WHEREAS**, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held to give the public an opportunity to comment on the conveyance of these easements; and

**WHEREAS**, City staff have reviewed the request and have no objection to the conveyance of said easements to RWSA.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Deed of Easement and such other documents as may be requested by RWSA, in form approved by the City Attorney, to convey the above-described easements to the Rivanna Water and Sewer Authority.

**RESOLUTION**  
**Transfer of Funds to Construct a Section of Hillsdale Drive**  
**\$300,000**

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

**Transfer From**

**\$ 300,000**      Fund: 426                      WBS: CP-080                      G/L Account: 599999

**Transfer To**

**\$ 300,000**      Fund: 426                      WBS: P-00767                      G/L Account: 599999

## **RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Funding Agreement between the City of Charlottesville and the Charlottesville Economic Development Authority related to the funding and construction of Phase II of Hillsdale Drive Extended, between the current terminus of Hillsdale Drive Extended and India Road.

**RESOLUTION APPROVING REVISIONS TO CHAPTERS V AND VI OF  
THE DESIGN GUIDELINES FOR ARCHITECTURAL DESIGN CONTROL  
(ADC) OVERLAY DISTRICTS**

**WHEREAS**, Section 34-288 of Article II (Overlay Districts) of the Charlottesville City Code, 1990, as amended, requires the City’s Board of Architectural Review (BAR) to develop and recommend to City Council design guidelines for the City’s architectural design control districts (“Design Guidelines”); and

**WHEREAS**, at its July 25, 2013 work session, the BAR reviewed the current Design Guidelines, adopted by City Council on September 17, 2012, and voted to recommend to Council approval of the proposed revisions to Chapter V (Signs, Awnings, Vending & Cafes) and Chapter VI (Public Improvements) of the Design Guidelines; and

**WHEREAS**, this City Council finds and determines that:

(1) The proposed revisions to the Design Guidelines are consistent with the purposes and standards set forth within Article II (Overlay Districts) of the City’s Zoning Ordinance; and

(2) The proposed revisions to the current Design Guidelines have been developed in consultation with the City’s Director of Neighborhood Development Services, with affected businesses and property owners given the opportunity to comment on the proposed revisions, as required by Section 34-288 of the City Code; now, therefore,

**BE IT RESOLVED** that the proposed revisions to the Design Guidelines are hereby approved, as shown on the attached excerpt from the Design Guidelines (with new language being underlined and deleted language shown with strikeout).

## ATTACHMENT – Proposed text changes to Architectural Design Control District Design Guidelines

### Chapter V Signs, Awnings, Vending & Cafes

#### G. Tents (Including Tent Canopies) for the Winter Café Season or Year-Round Use

1. Tents are generally not appropriate in historic districts that are primarily residential (North Downtown, Wertland Street, Ridge Street, Oakhurst-Gildersleeve, Rugby Road-Venable, most of Martha Jefferson).
2. Tents may be appropriate in the Downtown, the Corner, and the West Main Street ADC districts, and in the mixed use/commercial areas of Martha Jefferson Conservation District, except tents are not appropriate on the Downtown mall portion of East and West Main Streets, including Central Place, and on the side streets leading to the mall.
3. Traditional solutions such as patio umbrellas and tree shade are encouraged.
5. ~~4.~~ Tents ~~may be~~ are not appropriate on the upper floors or roof of buildings.
5. Tents are not appropriate in front of a contributing building.
6. Tents may be appropriate in front of a non-contributing building, depending on the tent materials, and the impact of its footprint and massing on the streetscape and building.
6. ~~7.~~ Tents may be appropriate on the rear or side of a building.
7. ~~If a tent would affect the front elevation of a building, or the character of the property or district, then the guidelines for Additions in Chapter 3, *New Construction and Additions*, should be followed.~~
3. ~~8.~~ Tents should not permanently alter significant landscaping or site features.
4. ~~9.~~ Tents should be a solid color, without any text or logos.

### Chapter VI Public Design & Improvements

#### J. Public Art, Statues, & Fountains

1. Maintain existing features related to public art, statues and fountains.
2. Consider the place-making role any such new features can have in celebrating and communicating the history of  
the districts.
3. Develop an appropriate relationship between materials, the scale of artwork and the surrounding environment.
4. Choose artwork that is appropriate for the current general character of the site.
5. Consider the appropriateness of the sculpture base.
8. ~~6.~~ Public art, statues, and fountains shall be maintained as accessible to the public.
6. ~~Mural art on private property should be reviewed for appropriateness of materials, scale, and location within surrounding context.~~
7. A mural's appearance, materials, colors, size, and scale should be compatible with the building and historic district of which the building is a part.
8. The use of neon, luminescent, or reflective paint or materials is discouraged.
9. A mural should not obscure or distort the historic features of a building, and should not cover an entire wall.
10. Murals painted on primary facades are rarely permitted and strongly discouraged.
11. In general, previously unpainted masonry should be left unpainted.
12. Painting directly onto the walls of a non-contributing building, or adding a mural to a previously-painted, non-primary elevation of a contributing building will be considered on a case-by-case basis.
13. In general, murals should be created on removable material, not directly on a building wall; installed on framing that allows water to weep between the mural and the wall; and attachments should not irrevocably damage the building.
7. ~~14.~~ Mural art that constitutes a sign shall conform to the sign regulations.