



**CITY COUNCIL AGENDA
June 21, 2010**

6:00 – 7:00 p.m.

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

TYPE OF ITEM

SUBJECT

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

AWARDS/RECOGNITIONS

AAA Bond Rating, Recycling Award

ANNOUNCEMENTS

MATTERS BY THE PUBLIC

Public comment will be permitted until 7:35 p.m. (limit of 3 minutes per speaker) and at the end of the meeting on any item, including items on the agenda, provided that a public hearing is not planned or has not previously been held on the matter. Persons are asked to sign up in advance of the start of the meeting.

COUNCIL RESPONSES 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 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 (1st of 1 reading)

g. **RESOLUTION:**

Renewal of CACVB Leases of Transit Center Space (1st of 1 reading)

h. **RESOLUTION:**

Acquisition of Land for Greenbelt Trails (1st of 1 reading)

i. **RESOLUTION:**

Recommendation for SUP – 1111 Wellford St. (1st of 1 reading)

j. **RESOLUTION:**

Recommendation for SUP – 1147 Rose Hill Drive (1st of 1 reading)

k. **ORDINANCE:**

Homeowner Tax Relief Grant Program (2nd of 2 readings)

l. **ORDINANCE:**

Update to the Residential Zoning Matrix (2nd of 2 readings)

m. **ORDINANCE:**

Petition to rezone property located at 834 Prospect Avenue (2nd of 2 readings)

n. **ORDINANCE:**

Expansion of Permit Parking Zone 7 (9th St SW and Forest Hills Ave Permit Parking) (2nd of 2 readings)

o. **ORDINANCE:**

Street wall adjustment for West Main Street (2nd of 2 readings)

p. **ORDINANCE:**

Zoning Change for Neighborhood Commercial and Restaurants and Music Halls (1st of 2 readings)

q. **RESOLUTION:**

Burley School Historic Signs – \$1,000 (1st of 1 reading)

r. **RESOLUTION:**

Amendments to Zoning Ordinance to address percentages of mixed-use development (1st of 1 reading)

**2. REPORT/
RESOLUTION***

Urban Land Institute TAP (Avon St. Corridor) (1st of 1 reading)

3. REPORT

Old Lynchburg Road

- 4. **REPORT** Award of Contract for Transfer Station Services
- 5. **REPORT** New Transit Station Presentation
- 6. **REPORT** Summer Youth Internship Program
- 7. **PUBLIC HEARING/
ORDINANCE*** Grant of Utility Easement under Emmet St. to UVA (1st of 2 readings)

**OTHER BUSINESS
MATTERS BY THE PUBLIC
ADJOURNMENT**

*ACTION NEEDED (Appropriations require two readings; ordinances require two readings; resolutions require one reading.)

Reasonable accommodations will be provided for persons with disabilities if requested.

APPROPRIATION
AUTHORIZE PURCHASE OF TWO NEW FIRE ENGINES AND RELATED LOOSE
EQUIPMENT
\$1,999,244

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$1,999,244 is hereby appropriated in the following manner:

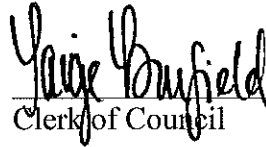
Transfer From

\$1,999,244 Fund: 425 WBS Element: P-00591 G/L Account: 499010

Expenditure

\$1,999,244 Fund: 425 WBS Element: P-00591 G/L Account: 599999

Approved by Council
June 21, 2010


Clerk of Council

**APPROPRIATION
AMENDMENT TO HOME and CDBG ACCOUNT
Reprogramming of Funds for CRHA Avon St. Acquisition**

WHEREAS, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in HOME Investment Partnership (HOME) funds for downpayment assistance; and

WHEREAS, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in Community Development Block Grant (CDBG) funds for the purpose of rehabilitation of public housing units; and

WHEREAS, it now appears that these funds are now needed for costs associated with the acquisition of property on Avon St. and need to be reprogrammed for the use, and therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the HOME and CDBG funds are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

Program Year	Account Code	Purpose	Proposed Revised Reduction	Proposed Revised Addition	Proposed Revised Appropriation
06-07	1900063	CRHA - Downpayment Assist.	\$25,000		\$0
06-07	1900078	HOP	\$25,000		\$0
07-08	P-00001-04-53	CDBG Priority Neighborhood	\$30,851	\$0	\$0
08-09	P-00001-04-59	CDBG Priority Neighborhood	\$200,000	\$0	\$0
09-10	P-00001-04-68	CDBG Priority Neighborhood	\$200,000	\$0	\$0
06-07	HOME	CRHA Avon St. acquisition		\$50,000	\$50,000
09-10	CDBG	CRHA Avon St. acquisition		\$430,851	\$430,851
		TOTALS:	\$480,851	\$480,851	\$480,851

Approved by Council
June 21, 2010


Clerk of Council

RESOLUTION
Street Paving - \$1,000,000

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, that the \$1,000,000 will be transferred from the Capital Projects Contingency account to the Street Paving capital project account.

Transfer From

\$1,000,000

Fund: 425

WBS: CP-002

Transfer To

\$1,000,000

Fund: 427

WBS: SS-007

Approved by Council
June 21, 2010


Clerk of Council

RESOLUTION

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

Amendments to Lease Agreements between the City of Charlottesville and the Charlottesville Albemarle Convention and Visitor Bureau (CACVB), effective July 1, 2010, renewing the leases (2) for space in the Transit Center for the CACVB administrative offices and the Downtown Visitor Center for an additional five (5) year term.

Approved by Council
June 21, 2010


Clerk of Council

**RESOLUTION
AUTHORIZING PURCHASE OF LAND (3.33 ACRES)
OFF MICHIE DRIVE
FROM REGION 10 COMMUNITY SERVICES BOARD**

WHEREAS, The Region 10 Community Services Board has offered to sell to the City of Charlottesville approximately 3.33 acres of land that are currently a portion of the property designated as Parcel 4 on City Tax Map 41B; and

WHEREAS, the subject property, more particularly described in Attachment A (Property Description), is located behind the Region 10 building on Michie Drive, as shown on a drawing made by the Parks & Recreation Department entitled "Property Acquisition – Region 10 – Meadowcreek"; and

WHEREAS, City staff have recommended acceptance of the subject property to provide improved greenbelt trail connectivity, increased green space, and allow for future stream restoration activity; now, therefore

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City hereby authorizes the purchase of approximately 3.33 acres of land from Region 10 Community Services Board, as described in Attachment A to this Resolution, and the City Attorney is hereby directed to take whatever steps are necessary to effect the closing of the transfer of the subject property to the City.

Approved by Council
June 21, 2010


Clerk of Council

**RESOLUTION GRANTING A SPECIAL USE PERMIT
TO ALLOW A FAMILY DAY HOME FOR UP TO EIGHT (8) CHILDREN
AT 1111 WELLFORD STREET.**

WHEREAS, Julie Carroll, resident of the property at 1111 Wellford Street, has requested a special use permit with respect to the property identified on City Tax Map 38 as Parcel 117, consisting of approximately 0.32 acres or 13,809 square feet ("Subject Property"), to allow operation of a family day home of up to twelve (12) children, with permission of the property owner, Shirley Ann Mawyer; and

WHEREAS, the Subject Property is zoned "R-1" (Residential District) and, pursuant to §34-420 of the City Code, such modifications for use of the property are allowed by Special Use Permit; and

WHEREAS, a joint public hearing on this application was held before the City Council and Planning Commission on June 8, 2010, following notice to the public and to adjacent property owners as required by law; and

WHEREAS, on June 8, 2010, based on the information presented by Neighborhood Development Services staff as well as by the Applicant, the Planning Commission recommended that the application be approved, with conditions; and

WHEREAS, this Council finds that such use is allowed under City Code Section 34-420 (specifically under the category "Residential and Related Uses" – Family day home (6-12 children) – R-1 Residential District) by special use permit, and will conform to the criteria applicable to special permits generally under Chapter 34 of the City Code; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a special use permit is hereby approved and granted to allow operation of a family day home for up to eight (8) children at 1111 Wellford Street. Approval of this special use permit is conditioned upon the following:

1. The applicant shall obtain a license for a family day home from the Virginia Department of Social Services.
2. The applicant will submit payments of \$100 a month, at a deadline to be negotiated with and decided upon by staff, until the balance of the application fee has been paid in full.
3. Customary hours of operation are limited to 7:00 a.m. - 6:00 p.m., Monday – Friday.
4. The family day home enterprise is limited to children age four (4) and under, with staffing limited to no more than the minimum requirements of the Virginia Department of Social Services.
5. No commercial signage is allowed on the property.
6. All children's play equipment is limited to the fenced, rear yard.

Approved by Council
June 21, 2010


Clerk of Council

**RESOLUTION GRANTING A SPECIAL USE PERMIT
TO GREENLEAF CENTER, LLC
TO ALLOW A TECHNOLOGY-BASED BUSINESS
AT 1147 ROSE HILL DRIVE.**

WHEREAS, Greenleaf Center, LLC, owner of the property at 1147 Rose Hill Drive, has requested a special use permit with respect to the property identified on City Tax Map 37 as Parcel 80.3, consisting of approximately 0.7 acres or 30,439 square feet (“Subject Property”), to allow operation of a technology-based business; and

WHEREAS, the Subject Property is zoned “B-1” (Business District) and, pursuant to §34-480 of the City Code, such modifications for use of the property are allowed by Special Use Permit; and

WHEREAS, following a joint public hearing before this Council and the Planning Commission, duly advertised and held on June 8, 2010, this Council finds that such use is allowed under City Code Section 34-480 (specifically under the category “Non-residential: General and Misc. Commercial” – Technology-based business – B-1 Business District) by special use permit, and will conform to the criteria applicable to special permits generally under Chapter 34 of the City Code; now, therefore

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a special use permit is hereby approved and granted to Greenleaf Center, LLC to allow operation of a technology-based business at 1147 Rose Hill Drive. Approval of this special use permit is conditioned upon the following:

1. No deliveries or private trash collection may take place between the hours of 6:00 p.m. and 8:00 a.m.
2. No shift changes between the hours of 6:00 p.m. and 6:00 a.m.
3. The air handling equipment and exhaust fans would be relegated to the roof area with appropriate screening per the zoning code.
4. There would be no odor or vibration generated by the use perceptible beyond the limits of the property.
5. All laboratory waste and biohazardous materials delivery and removal would originate on the interior of the structure and not the exterior of the building.
6. The parking garage ingress and egress shall be redesigned so as to only allow all outgoing traffic to turn left toward Rose Hill Drive and not turn right onto Amherst Street. A sign shall also be placed at the garage’s exit indicating that only left turns are allowed, not right turns on to Amherst Street.

Approved by Council
June 21, 2010


Clerk of Council

AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE

WHEREAS, effective July 1, 2006, §50.7 of the Charter of the City of Charlottesville authorizes City Council to make grants and loans of funds to low- or moderate-income persons to aid in the purchase of a dwelling within the City; and

WHEREAS, this City Council desires to offer a monetary grant for Fiscal Year 2011, to aid low- and moderate-income citizens with one of the ongoing expenses associated with the purchase of a dwelling, *i.e.* real estate taxes; and

WHEREAS, public funding is available for the proposed grant;

NOW, THEREFORE, effective July 1, 2010 and for calendar year 2010, the Charlottesville City Council hereby ordains:

Grant—provided.

(a) There is hereby provided to any natural person, at such person's election, a grant in aid of payment of the taxes owed for the taxable year on real property in the city which is owned, in whole or in part, and is occupied by such person as his or her sole dwelling. The grant provided within this section shall be subject to the restrictions, limitations and conditions prescribed herein following.

(b) If, after audit and investigation, the commissioner of revenue determines that an applicant is eligible for a grant, the commissioner of revenue shall so certify to the city treasurer, who shall implement the grant as a prepayment on the applicant's real estate tax bill due on December 6, 2010.

(c) The amount of each grant made pursuant to this ordinance shall be \$525 for taxpayers with a household income of \$0-25,000, and shall be \$375 for taxpayers with a household income from \$25,001-\$50,000, to be applied against the amount of the real estate tax bill due on December 6, 2010.

Definitions.

The following words and phrases shall, for the purposes of this division, have the following respective meanings, except where the context clearly indicates a different meaning:

(1) *Applicant* means any natural person who applies for a grant authorized by this ordinance.

(2) *Dwelling* means a residential building, or portion such building, which is owned, at least in part, by an applicant, which is the sole residence of the applicant and which is a part of the real estate for which a grant is sought pursuant to this ordinance.

(3) *Grant* means a monetary grant in aid of payment of taxes owed for the taxable year, as provided by this ordinance.

(4)*Spouse* means the husband or wife of any applicant who resides in the applicant's dwelling.

(5)*Real estate* means a city tax map parcel containing a dwelling that is the subject of a grant application made pursuant to this ordinance.

(6)*Taxes owed for the current tax year* refers to the amount of real estate taxes levied on the dwelling for the taxable year.

(7)*Taxable year* means the calendar year beginning January 1, 2010.

(8)*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, of the applicant's spouse, and of any other person who is an owner of and resides in the applicant's dwelling. The commissioner of revenue shall establish the household income of persons for whom no federal tax return is required through documentation satisfactory for audit purposes.

Eligibility and restrictions, generally.

A grant awarded pursuant to this ordinance shall be subject to the following restrictions and conditions:

(1)The household income of the applicant shall not exceed \$50,000.

(2)The assessed value of the real estate owned by the applicant shall not exceed \$365,000.

(3)The applicant shall own an interest in the real estate that is the subject of the application (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset) and the applicant shall not own an interest in any other real estate (either personally or by virtue of the applicant's status as a beneficiary or trustee of a trust of which the real estate is an asset).

(4)As of January 1 of the taxable year and on the date a grant application is submitted, the applicant must occupy the real estate for which the grant is sought as his or her sole residence and must intend to occupy the real estate throughout the remainder of the taxable year. 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.

(5)An applicant for a grant provided under this ordinance shall not participate in the real estate tax exemption or deferral program provided under Chapter 30, Article IV of the City Code (Real Estate Tax Relief for the Elderly and Disabled Persons) for the taxable year, and no grant shall be applied to real estate taxes on property subject to such program.

(6)An applicant for a grant provided under this division shall not be delinquent on any portion of the real estate taxes to which the grant is to be applied.

(7)Only one grant shall be made per household.

Procedure for application.

(a) Between July 1 and September 1 of the taxable year, an applicant for a grant under this ordinance shall file with the commissioner of revenue, in such manner as the commissioner shall prescribe and on forms to be supplied by the city, the following information:

(1) the name of the applicant, the name of the applicant's spouse, and the name of any other person who is an owner of and resides in the dwelling.

(2) the address of the real estate for which the grant is sought;

(3) the household income;

(4) such additional information as the commissioner of revenue reasonably determines to be necessary to determine eligibility for a grant pursuant to this ordinance.

(b) Changes in household income, ownership of property or other eligibility factors occurring after September 1, but before the end of the taxable year, shall not affect a grant once it has been certified by the commissioner of the revenue, in which case such certified grant shall be applied to the subject real estate.

(c) Any person who willfully makes any false statement in applying for a grant under this division shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$500 for each offense.

Approved by Council
June 21, 2010


Clerk of Council

**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.**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 34-420 of Article III of Chapter 34 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

Sec. 34-420. Use Matrix – Residential zoning districts.

The uses and residential densities allowed within the city’s residential zoning districts are those identified within the matrix following below. (For a list of each of the city’s zoning districts and their abbreviations, see section 34-216).

- A = Ancillary use
- B = By-right use
- CR = Commercial/residential
- A/S = Ancillary or Special Use Permit
- DUA = Dwelling units per acre
- GFA = Gross floor area
- MFD = Multifamily development
- P = Provisional use permit
- S = Special use permit
- T = Temporary use permit

[See attached Matrix with amended areas highlighted in yellow - Changes to Matrix described below]

For the R-1 zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the R-1 column.

For the R-1 zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1 column.

For the R-1 zoning district, allow Educational facilities (nonresidential), Elementary with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1 column.

For the R-1 zoning district, allow Educational facilities (nonresidential), High schools with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1 column.

For the R-1U zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1U column.

For the R-1U zoning district, allow Educational facilities (nonresidential), Elementary with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1U column.

For the R-1U zoning district, allow Educational facilities (nonresidential), High schools with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1U column.

For the R-1S zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the R-1S column.

For the R-1S zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1S column.

For the R-1S zoning district, allow Educational facilities (nonresidential), Elementary with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1S column.

For the R-1S zoning district, allow Educational facilities (nonresidential), High schools with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1S column.

Remove the R-1US zoning district from the column labeled “R-1SU/R-1US” in the Use Matrix by deleting “/R-1US” from the column heading label.

For the R-1SU zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1SU column.

For the R-1SU zoning district, allow Educational facilities (nonresidential), Elementary with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1SU column.

For the R-1SU zoning district, allow Educational facilities (nonresidential), High schools with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-1SU column.

For the R-2 zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the R-2 column.

For the R-2 zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-2 column.

For the R-2 zoning district, allow Educational facilities (nonresidential), Elementary with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-2 column.

For the R-2 zoning district, allow Educational facilities (nonresidential), High schools with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-2 column.

For the R-2 zoning district, no longer allow Offices, Property management as an ancillary use by removing the “A” from the Use Matrix in the R-2 column.

For the R-2U zoning district, no longer allow Accessory apartment, internal as a provisional use by removing the “B” from the Use Matrix in the R-2U column.

For the R-2U zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-2U column.

For the R-2U zoning district, allow Educational facilities (nonresidential), Elementary with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-2U column.

For the R-2U zoning district, allow Educational facilities (nonresidential), High schools with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-2U column.

For the R-2U zoning district, no longer allow Offices, Property management as an ancillary use by removing the “A” from the Use Matrix in the R-2U column.

For the R-3 zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R-3 column.

For the R-UMD zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the R-UMD column.

For the R- UMD zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R- UMD column.

For the R-UMD zoning district, allow Residential treatment facility, 1-8 residents as a by right use by adding a “B” to the Use Matrix in the R- UMD column.

For the R-UHD zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the R-UHD column.

For the R- UHD zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the R- UHD column.

For the R-UHD zoning district, allow Residential treatment facility, 1-8 residents as a by right use by adding a “B” to the Use Matrix in the R- UHD column.

For the MR zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the MR column.

For the MR zoning district, allow Adult assisted living, 1-3 residents as a by right use by adding a “B” to the Use Matrix in the MR column.

For the MR zoning district, allow Adult assisted living, 4+ residents with a special use permit by adding an “S” to the Use Matrix in the MR column.

For the MR zoning district, allow Convent/monastery with a special use permit by removing the “B” and adding an “S” to the Use Matrix in the MR column.

For the MHP zoning district, allow Accessory apartment, internal as a provisional use by removing the “B” and adding a “P” to the Use Matrix in the MHP column.

For the MHP zoning district, no longer allow Accessory apartment, external, as a by right use by removing the “B” in the Use Matrix in the MHP column.

For the MHP zoning district, allow Accessory buildings, structures and uses as a by right use by adding a “B” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Home occupation as a by right use by adding a “B” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Occupancy, residential, 3 unrelated persons as a by right use by adding a “B” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Occupancy, residential, 4 unrelated persons as a by right use by adding a “B” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Daycare Facility as a by right use by adding a “B” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Laundromats as an ancillary use by adding an “A” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Libraries as a by right use by adding a “B” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Municipal/governmental offices, buildings, courts with a special use permit by adding an “S” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Property Management as an ancillary use by adding an “A” to the Use Matrix in the MHP column.

For the MHP zoning district, allow Utility lines as a by right use by adding a “B” to the Use Matrix in the MHP column.

Under the category “NON-RESIDENTIAL USES: RETAIL , Other retail stores (non-specified):”, delete the row labeled “Up to 3,000 SF GFA”.

Approved by Council

June 21, 2010


Clerk of Council

**AN ORDINANCE
APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT
834 PROSPECT AVENUE
TO MCINTIRE-5th RESIDENTIAL**

WHEREAS, Charlottesville Abundant Life Ministries (“Applicant”), the Owner of property designated as 834 Prospect Avenue and identified on City Tax Map 25 as Parcel 5, submitted an application seeking a rezoning of such property from R-2 (Residential) to McIntire-5th Residential (Multi-Family Residential), hereinafter the “Proposed Rezoning”; and

WHEREAS, a joint public hearing on the Proposed Rezoning was held before the City Council and Planning Commission on May 11, 2010, following notice to the public and to adjacent property owners as required by law; and

WHEREAS, legal notice of the public hearing held on May 11, 2010 was advertised in accordance with Va. Code Sec. 15.2-2204; and

WHEREAS, the Applicant submitted a Preliminary Proffer Statement on April 20, 2010, as required by City Code Section 34-64(a), and presented the Preliminary Proffer Statement to the Planning Commission on May 11, 2010; and

WHEREAS, on May 11, 2010, the Planning Commission voted to recommend approval of the Proposed Rezoning to the City Council on the basis of general welfare or good zoning practice; and

WHEREAS, the Applicant submitted a Final Proffer Statement, as required by City Code Section 34-64(c), and made a part of these proceedings; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare or good zoning practice requires the Proposed Rezoning; that both the existing zoning classifications (R-2 Residential) and the proposed “MR” zoning classification (subject to proffered development conditions) are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

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

Section 34-1. Zoning District Map. Rezoning from R-2 Residential to McIntire-5th Residential, subject to the proffered development conditions set forth within the Final Proffer Statement, a portion of the property located at 834 Prospect Avenue, identified on City Tax Map 25 as Parcel 5, consisting of approximately 0.953 acres.

Approved by Council
June 21, 2010


Clerk of Council

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.

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 15-204 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

Sec. 15-204. Designation of permit parking zones.

The following areas of the city are hereby designated as permit parking zones, and any streets referenced as boundaries shall be deemed included as part of such zones:

Zone 1. That area bounded on the north by Ivy Road, from the city limits to Emmett Street, then along Emmett Street to Barracks Road, then along Barracks Road to Rugby Road; bounded on the east by Rugby Road to Cabell Avenue, then along Cabell Avenue to Grady Avenue, then along Grady Avenue to 10th Street, then along 10th Street to West Street, then along West Street in a line extending to the Southern Railroad tracks; bounded on the south by the Southern Railroad tracks; and bounded on the west by the city limits.

Zone 4. That area bounded on the north by Perry Drive, Park Lane East, and Poplar Street, on the east by Locust Avenue, on the south by East High Street, and on the west by Altamont Street and McIntire Road and including Altamont Circle and Walker Street.

Zone 6. That area bounded on the east by 5th Street, N.W., on the north by the southern property line of the city maintenance yard, on the west by 7 1/2 Street, N.W., on the south by Elsom Street, the 100 block of 7th Street, N.W. and Commerce Street.

Zone 7. That area bounded on the north by Grove Street, Estes Street and the CSX Railroad, on the west by Baker Street and North Baker Street, on the south by ~~Cherry~~ Forest Hills Avenue, and on the east by 9th Street, S.W. and 5th Street, S.W.

Zone 8. That area consisting of South Street from Ridge Street to its terminus at Second Street, S.E.

Zone 9. That area bounded on the north by Hazel Street, on the east by Meade Avenue, on the south by East Market Street, and on the west by 10th Street, N.E and Locust Avenue.

Approved by Council
June 21, 2010


Clerk of Council

**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.**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Sections 34-618 and 34-638 of Article VI of Chapter 34 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

CHAPTER 34. ZONING

ARTICLE VI. MIXED USE CORRIDOR DISTRICTS

Sec. 34-618. Streetwall regulations.

Setbacks shall be required, as follows:

(1)...

(2)...

(3)...

(4)...

(5) The minimum height of the streetwall of any building or structure shall be ~~forty (40)~~ twenty-five (25) feet with a minimum of ~~three (3)~~ two (2) interior floors, and the maximum height of the streetwall of any building or structure shall be sixty (60) feet. ~~After sixty (60) feet~~ At the top of the streetwall height, there shall be a minimum stepback of twenty-five (25) feet.

...

Sec. 34-638. Streetwall regulations.

(a) *Stepback requirement.*

(1) The minimum height of the streetwall of any building or structure shall be ~~forty (40)~~ twenty-five (25) feet containing a minimum of ~~three (3)~~ two (2) interior floors. The maximum height of the street wall of any building or structure shall be sixty (60) feet. ~~After sixty (60) feet,~~ At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet along the length of such street wall. Any streetwall fronting upon a numbered street within this district shall, ~~after sixty (60) feet at the top of the streetwall height,~~ be required to have a stepback of five (5) feet.

...

Approved by Council
June 21, 2010


Clerk of Council

RESOLUTION

Contribution to Burley Middle School Varsity Club for Plaques- \$1,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of up to \$1,000 is hereby paid from currently appropriated funds in the Council Priority Initiatives Account in the General Fund to pay for a portion of two plaques at Burley Middle School:

Fund: 105

Cost Center: 10110010000

Approved by Council
June 21, 2010


Clerk of Council

Resolution
**Amendments to Zoning Ordinance to address requirements for
percentages of mixed-use development in certain zoning classifications**

WHEREAS, the City Council of the City of Charlottesville believes that changes can be made to the City Code, Chapter 34 (Zoning) to more effectively regulate and promote mixed use development in certain corridors within the City; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare, and good zoning practice require the initiation of a study of certain amendments to Chapter 34 (Zoning) of the Charlottesville City Code, 1990, as amended.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that the Planning Commission is hereby directed to study proposed amendments to Chapter 34 (Zoning) of the Charlottesville City Code, 1990 as amended, revising regulations concerning the mix of uses in the following sections and zoning classifications:

- 34-562(a) Downtown Corridor
- 35-580(a) Downtown Extended
- 34-602 Downtown North Corridor
- 34-619 West Main North
- 34-640 West Main South
- 34-662(e) Cherry avenue
- 34-746(a) Water Street Corridor
- 34-766(a) South Street
- 34-771 Corner District
- 34-781 Central City

BE IT FURTHER RESOLVED that the Planning Commission will submit its findings and recommendations to the City Council no later than 100 days from the date of this Resolution.

Approved by Council
June 21, 2010


Clerk of Council

Resolution

WHEREAS, the City Council of the City of Charlottesville is desirous of working with the Richmond Chapter of the Urban Land Institute to study urban design and market issues along Avon Street from Market Street to Monticello Street;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that staff be authorized to negotiate terms of such a study; and

BE IT RESOLVED that a final contract with the Urban Land Institute be brought to the City Council for Approval.

Approved by Council
June 21, 2010


Clerk of Council