



**CITY COUNCIL AGENDA**  
**August 20, 2012**

6:00 p.m. – 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**

**AWARDS/RECOGNITIONS**  
**ANNOUNCEMENTS**

**MATTERS BY THE PUBLIC** Public comment will be permitted for the first 12 speakers to 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 RESPONSES TO MATTERS BY THE PUBLIC**

- |                                       |   |
|---------------------------------------|---|
| <b>1. CONSENT AGENDA*</b>             | (Items removed from the consent agenda will be considered at the end of the regular agenda.)  |
| a. Minutes for July 16                |   |
| <b>b. APPROPRIATION:</b>              | <b>Community Attention Youth Internship Program - \$10,000 (2<sup>nd</sup> of 2 readings)</b>   |
| <b>c. APPROPRIATION:</b>              | <b>Virginia Department of Criminal Justice Services Neighborhood of Promise Grant- \$97,500 (2<sup>nd</sup> of 2 readings)</b>  |
| <b>d. APPROPRIATION:</b>              | <b>Workforce Development Programs &amp; Carryover Funding for FY 2013 – Re-Appropriate \$20,032.74 and Transfer <del>\$3,072.50</del> \$3,214.50 (2<sup>nd</sup> of 2 readings)</b> |
| e. APPROPRIATION:                     | Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (1 <sup>st</sup> of 2 readings)  |
| f. APPROPRIATION:                     | Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$182,500 (1 <sup>st</sup> of 2 readings)  |
| g. APPROPRIATION:                     | Feed Your Mind National League of Cities/Wal-Mart CHAMP Grant - \$55,470 (1 <sup>st</sup> of 2 readings)  |
| h. APPROPRIATION:                     | Check and Connect Student Engagement Grant - \$75,000 (1 <sup>st</sup> of 2 readings)   |
| i. RESOLUTION:                        | Revisions to Architectural Design Control District Guidelines (1 <sup>st</sup> of 1 reading)  |
| <b>j. RESOLUTION:</b>                 | <b>Special Use Permit at 218 West Water Street (1<sup>st</sup> of 1 reading)</b>  |
| k. RESOLUTION:                        | Approval of Charlottesville Area Transit (CAT) Route Adjustments (1 <sup>st</sup> of 1 reading)   |
| <b>l. RESOLUTION:</b>                 | <b>Acquisition of Fry’s Spring Beach Club Property – Old Lynchburg Road Project (1<sup>st</sup> of 1 reading)</b>   |
| <b>m. ORDINANCE:</b>                  | <b>Closing Laurel Street (2<sup>nd</sup> of 2 readings)</b>   |
| n. ORDINANCE:                         | Change to Penalty for Violation of Noise Ordinance (1 <sup>st</sup> of 2 readings)  |
| <b>2. PUBLIC HEARING / ORDINANCE*</b> | Sale of Property to Fry’s Spring Beach Club – Old Lynchburg Road Project (1 <sup>st</sup> of 2 readings)  |
| <b>3. PUBLIC HEARING / REPORT*</b>    | <b>Priorities for CDBG Program Year 13-14 (1<sup>st</sup> of 1 reading)</b>   |
| <b>4. REPORT</b>                      | RWSA Quarterly Update   |
| <b>5. REPORT</b>                      | Human Rights Task Force Update  |

- 6. REPORT/ORDINANCE\***      Application for PUD Rezoning – Lochlyn Hill (1<sup>st</sup> of 2 readings)
- 7. REPORT\***                      Dogwood Housing (1<sup>st</sup> of 1 reading)
- 8. REPORT**                        Charlottesville Albemarle Convention & Visitors Bureau FY2013 Marketing Plan
- 9. REPORT/RESOLUTION\***      Allocation of Council Priority Initiatives Funding to Support the Silverbacks  
Football Team Home Games – \$2,000 (1<sup>st</sup> of 1 reading)

**OTHER BUSINESS  
MATTERS BY THE PUBLIC**

\*ACTION NEEDED

**APPROPRIATION**  
**Community Attention Youth Internship Program (CAYIP)**  
**\$10,000**

**WHEREAS**, the City of Charlottesville has been awarded \$10,000 by the Charlottesville Area Community Foundation's Bama Works Fund.

**WHEREAS**, the funds will be used to operate the Community Attention Youth Internship Program. The grant award covers the period from September 1, 2012 through December 31, 2012.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$10,000 is hereby appropriated in the following manner:

**Revenue – \$10,000**

Fund: 213                                      Cost Center: 3413003000                                      G/L Account: 451020

**Expenditures - \$10,000**

Fund: 213                                      Cost Center: 3413003000                                      G/L Account: 530450

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$10,000 from the Charlottesville Area Community Foundation's Bama Works Fund.

**APPROPRIATION**  
**Virginia Department of Criminal Justice Services Neighborhood of Promise Grant**  
**\$97,500**

**WHEREAS**, The City of Charlottesville, through the Commission on Children and Families, has received a Neighborhood of Promise grant in the amount of \$65,000; and

**WHEREAS**, City Council on June 5, 2011 on their Consent Agenda approved a transfer of \$32,500 from their Council Priorities Initiatives account (1011001000) towards the required 50% grant match; and

**WHEREAS**, a Memorandum of Understanding is being developed between the City of Charlottesville, the Commission on Children and Families (CCF) and Children Youth and Family Services (CYFS) detailing program responsibilities.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$97,500 is hereby appropriated in the following manner:

**Revenues**

\$50,000	Fund: 209	Cost Center: 3413005000	G/L Account: 430120
\$32,500	Fund: 209	Cost Center: 3413005000	G/L Account: 498010

**Expenditures**

\$88,364	Fund: 209	Cost Center: 3413005000	G/L Account: 519999
\$97,500	Fund: 209	Cost Center: 3413005000	G/L Account: 530670

**Transfer to 9803030000**

\$32,500	Fund: 105	Cost Center: 1011001000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$65,000 from the Virginia Department of Criminal Justice Services; and

**BE IT FURTHER RESOLVED**, that the City Manager is authorized to sign the Memorandum of Understanding once it is reviewed and approved by the City Attorney, CCF and CYFS.

**APPROPRIATION**  
**Workforce Development Programs Funding for FY 2013**  
**\$20,032.74**

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, that the following amount shall be permitted to be carried over and expended in the General Fund's respective internal order in the following fiscal year (FY13) for the purpose of continued funding of various workforce development programs:

2000105      Future Workforce Programs    \$20,032.74

**BE IT FURTHER RESOLVED**, that the following are transferred in the following manner:

**Transfer From**

\$78.50	Fund: 105	I/O: 2000074
<del>\$2,944</del> \$3,086	Fund: 105	I/O: 2000077
\$50.00	Fund: 105	I/O: 2000078

**Transfer To**

\$78.50	Fund: 105	I/O: 2000105
<del>\$2,944</del> \$3,086	Fund: 105	I/O: 2000105
\$50.00	Fund: 105	I/O: 2000105

**BE IT FURTHER RESOLVED** by the City Council of the City of Charlottesville, Virginia, that this appropriation will be hereby considered as a continuing appropriation and not deemed to expire unless further altered by Council.

*SP-08-04-05*

**RESOLUTION GRANTING A SPECIAL USE PERMIT  
TO WATERHOUSE, LLC  
TO ALLOW ADDITIONAL BUILDING HEIGHT  
ON PROPERTY AT 218 WEST WATER STREET**

**WHEREAS**, Waterhouse, LLC, owner of the property at 218 West Water Street (City Tax Map 28, Parcel 84), has requested a special use permit to allow an additional twelve feet six inches (12'6") of building height to a maximum height, including appurtenances, of eighty two feet, six inches (82'6") on the property at 218 West Water Street; and

**WHEREAS**, following a joint public hearing before this Council and the Planning Commission, duly advertised and held on July 12, 2012, this Council finds that such use is allowed under City Code Section 34-796, 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 Waterhouse, LLC to allow an additional twelve feet six inches (12'6") of building height to a maximum height, including appurtenances, of eighty two feet, six inches (82'6") on the property at 218 West Water Street.

**RESOLUTION**  
**AUTHORIZING THE PURCHASE OF FRY'S SPRING BEACH CLUB**  
**PROPERTY FOR USE AS PARKLAND AND/OR PUBLIC UTILITY FACILITIES**

**WHEREAS**, by Resolution approved on May 7, 2012, the Charlottesville City Council agreed to purchase a tract of land, approximately 2.74 acres or 119,250 square feet, owned by Fry's Spring Beach Club, Inc. (FSBC) at a purchase price of \$2.10 per square foot of land for the purpose of improving stormwater drainage; and

**WHEREAS**, after a recent physical survey of the land was done, it was determined that the land to be acquired by the City for the above-named purpose is 2.665 acres (116,121 square feet) in area; and

**WHEREAS**, FSBC and City staff have negotiated a purchase price of \$250,000 (approximately \$2.15/square feet) for the 2.665 acre tract of land, conditioned upon:

- (1) FSBC reserving an access easement for existing well facilities;
- (2) Conveyance of a portion of the Old Lynchburg Road right of way to FSBC to resolve the encroachment of FSBC pool facilities into City right of way; and
- (3) A deed restriction limiting the use of the 2.665 acre tract of land to parkland and/or public utility facilities; now, therefore

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign a Purchase Agreement, in form approved by the City Attorney, to set forth the terms of the above-described real estate transaction; and

**BE IT FURTHER RESOLVED** that the conveyance of City-owned land to Fry's Spring Beach Club, Inc. is subject to approval by City Council by ordinance, after a public hearing held pursuant to Va. Code Sec. 15.2-1800(B).

Prepared August 8, 2012

**AGREEMENT**  
**Sale of Land to the City of Charlottesville**  
**(Portion of Fry's Spring Beach Club Property - City TMP 190034000)**

**THIS AGREEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2012 between **FRY'S SPRING BEACH CLUB, INC.**, a Virginia non-profit corporation, hereinafter referred to as Seller or "FSBC", whose address is \_\_\_\_\_, Charlottesville, Virginia 229\_\_\_\_, and the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as Purchaser, or "City," whose address is P.O. Box 911, Charlottesville, Virginia, 22902.

**WITNESSETH:**

**WHEREAS**, Seller is the owner of certain real property situated in the City of Charlottesville, Virginia, designated as Parcel 34 on City Real Estate Tax Map 19; and

**WHEREAS**, Seller desires to subdivide Parcel 34, as shown on the attached Minor Subdivision and Boundary Line Adjustment plat dated July 31, 2012, made by AECOM, hereinafter the "Plat", and sell to the City the land designated as Parcel X on the Plat, containing 116,121.221 square feet (2.665 acres), more or less; and

**WHEREAS**, Seller has agreed to sell the above-described Parcel X to the City for the purchase price of Two Hundred Fifty Thousand Dollars (\$250,000.00), located on Old Lynchburg Road in the City of Charlottesville, and Purchaser has agreed to purchase the Property from Seller, subject to the conditions outlined in Section II below;

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants contained herein, Seller and Purchaser do hereby set forth their agreement as follows:

**I. AGREEMENT TO CONVEY**

Seller agrees to convey by General Warranty Deed to City, and City agrees to purchase from Seller, the real property referred to herein as the "Property," which is more particularly described as follows, to-wit:

All that certain lot or parcel of land situated in the City of Charlottesville, Virginia containing approximately 116,121.221 square feet, or 2.665 acres, more or less, located on Old Lynchburg Road, shown and designated as Parcel X on the attached Plat made by AECOM, dated July 31, 2012, attached hereto as Exhibit A and made a part hereof.



As additional consideration, the City agrees to convey (subject to City Council approval), and FSBC agrees to accept, the land designated as Parcel Y on the Plat, containing 2,487.839 square feet, or 0.057 acres, more or less, being a portion of the Old Lynchburg Road right-of-way, to be conveyed to FSBC by Quitclaim Deed and added to and become a part of Parcel 34 on City Real Estate Tax Map 19.

## II. TERMS AND CONDITIONS

The City's obligations under this Agreement are expressly contingent upon all of the following conditions being met:

- (a) City's receipt of the results, satisfactory to it in its sole discretion, of a title examination to be performed by City at its own expense.
- (b) City's receipt of the results of an environmental review by City staff, and if deemed necessary by the City, a Phase I Environmental Assessment and Report (Phase I Report) conducted and prepared by an environmental engineering and inspection company selected by City at City's expense and such other testing and reports as may be reasonably required by City or recommended in the Phase I Report. Such Phase I report may include the results of testing for any underground or aboveground storage tanks located on the Property.
- (c) Seller shall deliver (by facsimile mail, electronic mail or first-class mail) to the City a proposed General Warranty Deed for review at least ten (10) days prior to Closing. This General Warranty Deed will reserve for Seller an access easement, as shown on the Plat, to allow FSBC to repair and maintain the existing well on the Property. The City will deliver (by facsimile mail, electronic mail or first-class mail) to the Seller a proposed Quitclaim Deed for the conveyance of Parcel Y for review at least ten (10) days prior to Closing, which deed will reserve a temporary construction easement to the City across all of Parcel Y until the Old Lynchburg Road drainage project is completed.
- (d) Seller's agreement to sell the Property has been submitted to the Charlottesville City Council and approved by resolutions on May 7, 2012 and August 20, 2012. In accordance with state law, the conveyance of Parcel Y to the Seller shall be considered by City Council after a public hearing. If City Council rejects the terms of the conveyance of Parcel Y, for whatever reason, this agreement shall be null and void and each party shall be relieved of all obligations under this agreement.

Each of the foregoing conditions is, and is intended by each of the parties to be, a condition precedent to the obligation of either party to proceed to Closing. City or Seller may elect not to proceed to Closing, without liability or penalty, if one or more of the above-referenced contingencies and/or conditions are not fulfilled to their satisfaction, which approval will not be unreasonably withheld, by delivering written notice to the other party.

### III. CLOSING

- (a) Closing will take place in the Office of the City Attorney in City Hall (605 East Main Street, City Hall, Charlottesville, Virginia) within sixty (60) days of City Council approval of the conveyance of Parcel Y, or as soon thereafter as all conditions of Section II of this agreement have been met to the satisfaction of both parties.
- (b) (i) Upon satisfaction of all of the terms and conditions of this Agreement, the Seller at Closing shall deliver and convey to City, by General Warranty Deed containing English Covenants of Title, marketable fee simple title to the Property free and clear of any and all liens and encumbrances, subject only to standard permitted exceptions and existing easements. Said General Warranty Deed shall include a restrictive covenant that runs with the land prohibiting the use of the Property for any purpose other than as park land or for installation, maintenance, repair and replacement of storm drainage, water, sanitary sewer, or natural gas facilities. Seller shall deliver possession of the Property to the City as of the date of Closing.
- (ii) Upon satisfaction of all of the terms and conditions of this Agreement, the City at Closing shall deliver and convey title to Parcel Y to Seller by Quitclaim Deed, free and clear of any and all liens and encumbrances. City shall deliver possession of Parcel Y to the Seller as of the date of Closing.
- (c) At the Closing, Seller shall also deliver to Purchaser all documents reasonably requested by Purchaser, including, without limitation, a W-9 form, a FIRPTA, a Virginia Non-resident Reporting Form (R-5E), and an Owner's Affidavit as to Mechanic's Liens and Possession reasonably acceptable to Purchaser's title company.
- (d) Seller's costs: (1) Fee for recordation of Certificate of Partial Satisfaction and Quitclaim Deed, (2) Costs of preparation of other Seller's documents required hereunder, and (3) Grantor's tax related to recordation of General Warranty Deed.
- (e) City's costs: (1) Fee for recordation of General Warranty Deed (except for Grantor's tax) and (2) title insurance examination and premium.

### IV. OTHER TERMS

This agreement is further contingent upon the following:

- (a) Seller shall pay any and all real estate taxes accrued and/or due on the Property up to and through the date of Closing. Prior to Closing, Seller shall pay all deferred taxes, penalties and interest, if any, existing, owed or outstanding with respect to the Property.
- (b) From the date of this Agreement through Closing, risk of loss or damage to the Property by fire, windstorm, casualty or other caused is assumed by the Seller. From the date of this Agreement Seller shall not commit, or suffer any other person or entity to commit, any waste or damage to the Property or any appurtenances thereto. From the date of this

Agreement, Seller shall not permit the manufacture, use, storage or disposal of hazardous wastes and/or toxic substances on or in the Property or in or near any adjoining waterways or drainage ditches.

- (c) No transfer or assignment of any rights or obligations hereunder shall be made by anyone having an interest herein, without the advance written consent of all other persons or entities having an interest herein.
- (d) This agreement shall be governed and interpreted by the laws of the Commonwealth of Virginia.
- (e) This agreement is binding upon the parties hereto and their respective heirs, personal representatives, successors and assigns.
- (f) This Agreement contains the final agreement between the parties hereto, and they shall not be bound by any terms, conditions oral statements, warranties or representations not contained herein.

**WITNESS** the following signatures and seals:

**FRY'S SPRING BEACH CLUB, INC.**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date signed: \_\_\_\_\_

**CITY OF CHARLOTTESVILLE, VIRGINIA**

By: \_\_\_\_\_

Maurice Jones, City Manager

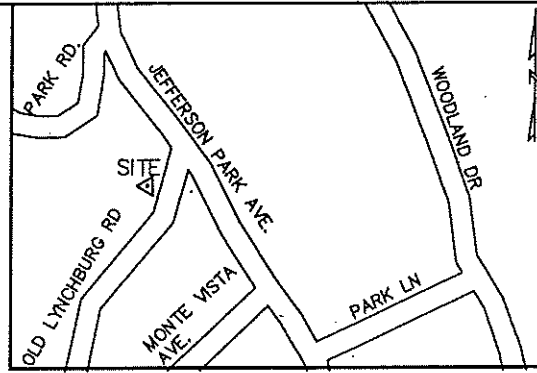
Date signed: \_\_\_\_\_

Approved as to Form:

Funds are Available:

\_\_\_\_\_  
S. Craig Brown  
Assistant City Attorney

\_\_\_\_\_  
Director of Finance



VICINITY MAP  
NOT TO SCALE

**OWNER'S APPROVAL:**

The boundary line adjustment is made with the consent of the undersigned owners, proprietors and trustees.

Owner \_\_\_\_\_ Date \_\_\_\_\_

**ACKNOWLEDGEMENT OF SIGNATURE:**

Signed before me, in my presence, this \_\_\_ day of \_\_\_\_\_, 2012.  
Date

Notary Public for the County/City of \_\_\_\_\_

My commission expires \_\_\_\_\_

**OWNER'S APPROVAL:**

The boundary line adjustment is made with the consent of the undersigned owners, proprietors and trustees.

Owner \_\_\_\_\_ Date \_\_\_\_\_

**ACKNOWLEDGEMENT OF SIGNATURE:**

Signed before me, in my presence, this \_\_\_ day of \_\_\_\_\_, 2012.  
Date

Notary Public for the County/City of \_\_\_\_\_

My commission expires \_\_\_\_\_

**NOTES:**

1. THIS PLAT IS THE RESULT OF A CURRENT FIELD SURVEY.
2. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY.
3. ALL EXISTING EASEMENTS MAY NOT BE SHOWN.
4. SUBJECT PROPERTY LIES IN FEMA FLOOD ZONE "X", FEMA MAP # 51003C0269D DATED FEB. 4, 2005.
5. SUBJECT PROPERTY ZONED: R1-S

APPROVED: CITY OF CHARLOTTESVILLE, VIRGINIA

Chairman, City Planning Commission \_\_\_\_\_ Date \_\_\_\_\_

Secretary, City Planning Commission \_\_\_\_\_ Date \_\_\_\_\_

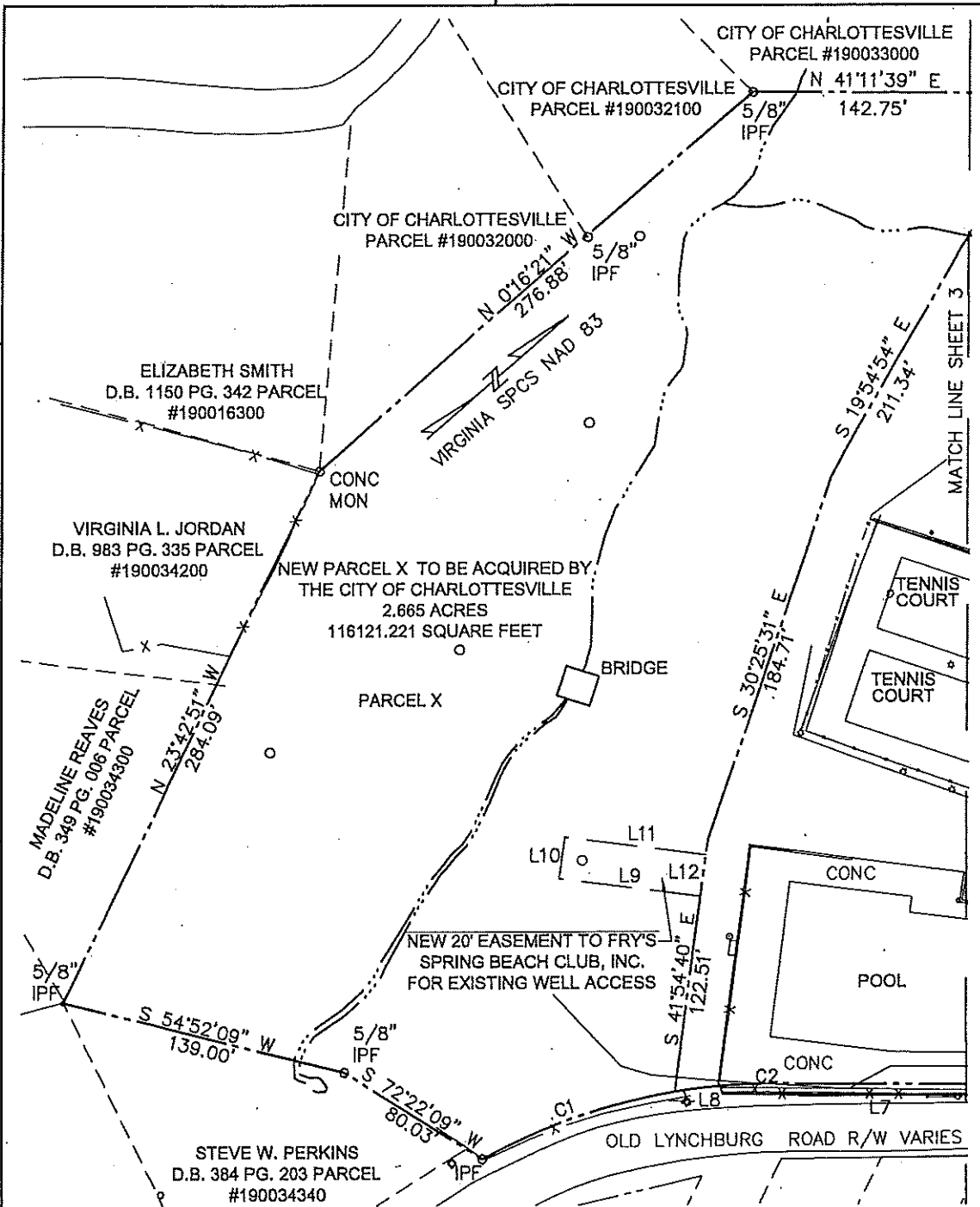
PLAT SHOWING A  
MINOR SUBDIVISION AND  
BOUNDARY LINE ADJUSTMENT  
ON THE PROPERTIES OF  
FRYS SPRING BEACH CLUB, INC.  
AND  
THE CITY OF CHARLOTTESVILLE, VIRGINIA



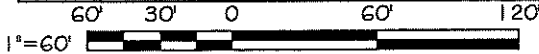
AECOM  
1315 FRANKLIN ROAD  
ROANOKE, VIRGINIA 24018  
PHONE (540) 857-3100

PROJECT NO:	30211	DRAWN BY:	BSG
CHECKED BY:	MAL	APPROVED BY:	MAL

SCALE N/A DATE JULY 31, 2012



CURVE DATA TABLE						
CURVE	DELTA	RADIUS	ARC	TANGENT	CH. BEARING	CHORD
1	19°46'05"	285.00'	98.33'	49.66'	S 21°29'45" W	97.84'
2	5°43'32"	285.00'	28.48'	14.25'	N 38°25'24" E	28.46'
3	23°48'47"	340.00'	141.31'	71.69'	N 29°22'44" E	140.30'



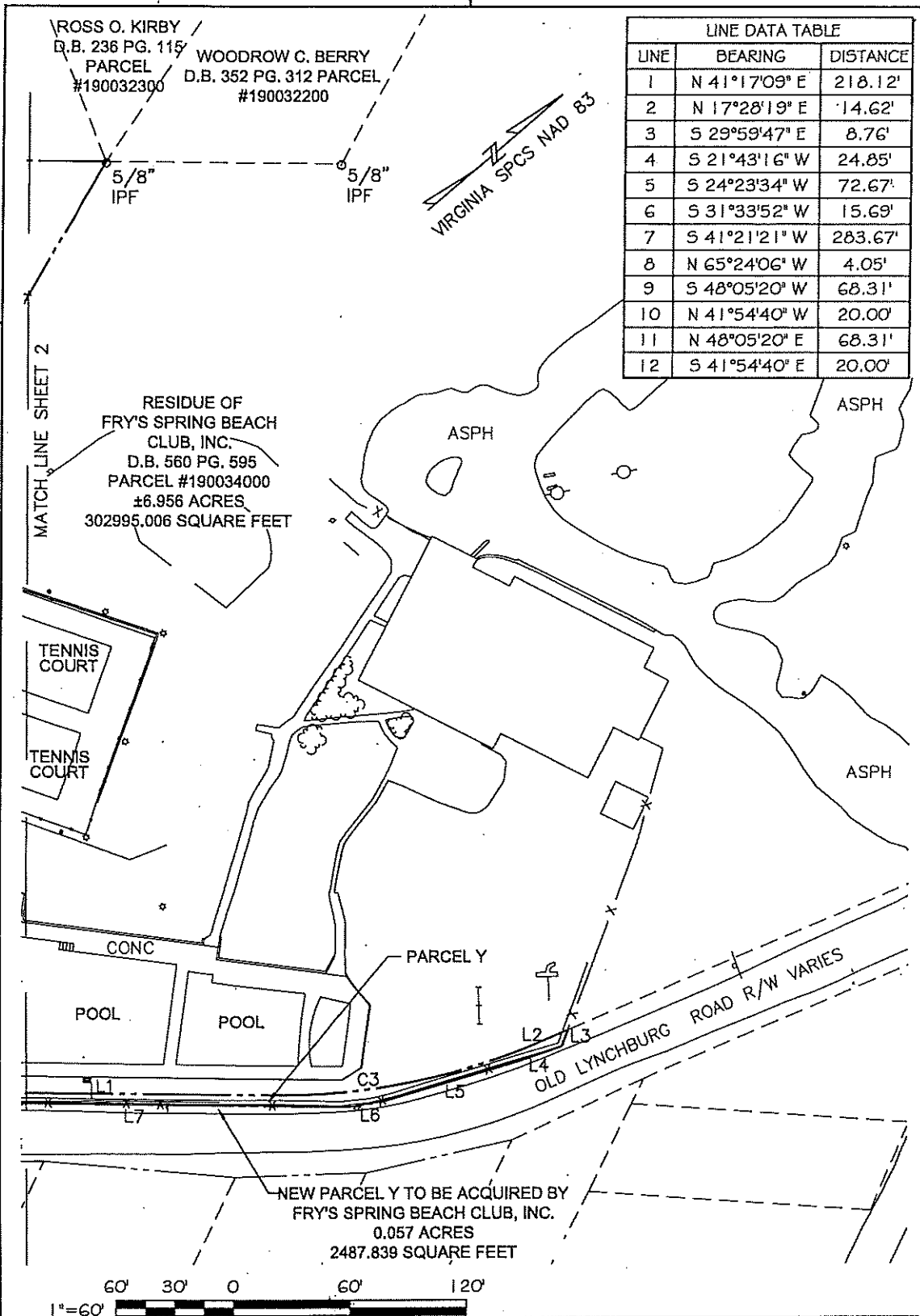
PLAT SHOWING A  
 MINOR SUBDIVISION AND  
 BOUNDARY LINE ADJUSTMENT  
 ON THE PROPERTIES OF  
 FRY'S SPRING BEACH CLUB, INC.  
 AND  
 THE CITY OF CHARLOTTESVILLE, VIRGINIA

SCALE 1"=60'      DATE JULY 31, 2012

AECOM  
 1315 FRANKLIN ROAD  
 ROANOKE, VIRGINIA 24018  
 PHONE (540) 857-3100

PROJECT NO: 30211	DRAWN BY: BSG
CHECKED BY: MAL	APPROVED BY: MAL

SHEET 2 OF 3



LINE DATA TABLE		
LINE	BEARING	DISTANCE
1	N 41°17'09" E	218.12'
2	N 17°28'19" E	14.62'
3	S 29°59'47" E	8.76'
4	S 21°43'16" W	24.85'
5	S 24°23'34" W	72.67'
6	S 31°33'52" W	15.69'
7	S 41°21'21" W	283.67'
8	N 65°24'06" W	4.05'
9	S 48°05'20" W	68.31'
10	N 41°54'40" W	20.00'
11	N 48°05'20" E	68.31'
12	S 41°54'40" E	20.00'

PLAT SHOWING A  
 MINOR SUBDIVISION AND  
 BOUNDARY LINE ADJUSTMENT  
 ON THE PROPERTIES OF  
 FRY'S SPRING BEACH CLUB, INC.  
 AND  
 THE CITY OF CHARLOTTESVILLE, VIRGINIA

SCALE 1"=60'      DATE JULY 31, 2012

**AECOM**  
 AECOM  
 1315 FRANKLIN ROAD  
 ROANOKE, VIRGINIA 24016  
 PHONE (540) 857-3100

PROJECT NO: 30211	DRAWN BY: BSG
CHECKED BY: MAL	APPROVED BY: MAL

SHEET 3 OF 3

*First Reading: May 7, 2012*

*Revised for Second Reading: August 20, 2012*

**AN ORDINANCE  
CLOSING, VACATING AND DISCONTINUING  
AN UNACCEPTED STREET KNOWN AS LAUREL STREET  
LOCATED BETWEEN OLD LYNCHBURG ROAD AND MONTE VISTA AVENUE  
ADJACENT TO CITY TAX MAP PARCELS 19-58 AND 20-106.**

**WHEREAS**, Charles Tolton, the owner of property designated as Parcel 58 on City Tax Map 19 (126 Old Lynchburg Road), initiated a petition seeking to close a gravel path known as Laurel Street, hereinafter "Subject Street", located adjacent to petitioner's property; and

**WHEREAS**, the Subject Street was created by a private developer to replace the original Laurel Street that was shown on the 1919 Monte Vista Subdivision Plat but vacated by City Council in 1957; and

**WHEREAS**, the Subject Street is shown on two plats of record in the Charlottesville Circuit Court Clerk's Office (March 1955 plat by C.H. Shapleigh, of record in Deed Book 182, page 255; and January 1957 plat by William S. Roudabush, Jr. in Deed Book 198, page 139); and

**WHEREAS**, Subject Street was never formally accepted by the City as a public street; and

**WHEREAS**, owners along the Subject Street to be closed have been duly notified; and

**WHEREAS**, following notice to the public pursuant to Va. Code §15.2-2204, a public hearing by the City Council was held on May 7, 2012, and comments from the City staff, and the public were made and heard; and

**WHEREAS**, after consideration of the factors set forth within the City Street Closing Policy, adopted by Council on February 7, 2005, as well as matters specified within §15.2-2272 of the Code of Virginia, this Council finds and determines that the petitioner's request should be granted; now, therefore

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the City hereby closes, vacates and discontinues the Laurel Street right of way, described as follows:

A right of way, approximately 30 feet in width, designated as Laurel Street on a plat dated January 1957 made by William S. Roudabush, Jr., of record in the Clerk's Office of the Circuit Court for the City of Charlottesville, in Deed Book 198, Page 139, running approximately 198 feet from Old Lynchburg Road to Monte Vista Avenue, and located adjacent to City Tax Map 19, Parcel 58 and City Tax Map 20, Parcel 106.

**BE IT FURTHER ORDAINED** that approval of Council is conditioned on recordation of a deed of easement and plat, in form approved by the City Attorney, showing a five-foot (5') wide pedestrian public access easement adjacent to the western side of the midline of Laurel Street (on Petitioner Tolton's property); and

**BE IT FURTHER ORDAINED** that unless an appeal from Council's enactment of this ordinance is made to the Charlottesville Circuit Court within thirty (30) days of the date of adoption, the Clerk of the Council shall send a certified copy of this ordinance to the Clerk of the Circuit Court for recordation in the current street closing book.



**A RESOLUTION  
COUNCIL PRIORITIES  
FOR CDBG and HOME FUNDS  
FY 13-14**

**WHEREAS**, the City of Charlottesville is a U.S. Department of Housing and Urban Development (HUD) Entitlement Community for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs and as such expects to receive an award of funding July 1, 2013; and

**WHEREAS**, in accordance with the City of Charlottesville's Citizen Participation Plan for HUD funding, the CDBG Task Force composed of citizen and community representatives will need to review potential projects and make recommendations for funding in Spring 2013;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the priorities and spending allowances for FY 2013-2014 shall be as follows:

- Council's priorities for the CDBG and HOME program for FY 13-14 shall be workforce development, construction of new affordable housing and rehabilitation.
- For FY 13-14, the set aside for Economic Development shall be any CDBG funds remaining after distributions to Priority Neighborhood, Social Programs, and Admin and Planning
- For FY 13-14, the Priority Neighborhood shall be Fifeville and the allocation amount shall be \$200,000.
- The CDBG Admin and Planning budget shall be set at 20% of the total entitlement.
- The Social Programs budget shall be set at 15% of the total entitlement.

**RESOLUTION**

**Allocation of Council Priority Initiatives Funding for Silverbacks Football Team  
For \$2,100**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$2,000 is hereby paid from currently appropriated funds in the Council Priority Initiatives Account in the General Fund to Charlottesville City Schools and \$100 goes towards membership to the Center for Nonprofit Excellence:

\$2,100

Fund: 105

Cost Center: 10110010000