



**CITY COUNCIL AGENDA**  
**July 7, 2014**

5:00 p.m. – 7:00 p.m.

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

*Second Floor Conference Room* (Appointments to Boards and Commissions;  
Consultation with legal counsel regarding acquisition of a utility easement on McIntire Road  
and regarding a settlement of pending condemnation litigation involving property on the Rt.  
250 Bypass; Schenks Branch)

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

*Council Chambers*

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

**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\***  
**Passed 5-0**

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

a. Minutes for June 16  
b. APPROPRIATION:

Appropriating Proceeds of Sale of Portion of 1279 Kenwood to the Parkland Acquisition Account - \$101,850 (1<sup>st</sup> of 2 readings)

c. APPROPRIATION:  
d. APPROPRIATION:

State Assistance for Spay and Neuter Program at S.P.C.A. – \$994.63 (1<sup>st</sup> of 2 readings)  
Chesapeake Bay Trust Green Streets, Green Jobs, Green Towns Grant - \$182,035 (1<sup>st</sup> of 2 readings)

e. APPROPRIATION:  
f. APPROPRIATION:

Bama Works Grant - \$5,000 (1<sup>st</sup> of 2 readings)

Reimbursed Expenses for Fontaine Fire Station - \$52,500 (1<sup>st</sup> of 2 readings)

g. RESOLUTION:

Acceptance of Christa Ct. (1<sup>st</sup> of 1 reading)

h. RESOLUTION:

Sidewalk Waiver Request for 2006 Pine Top Road (1<sup>st</sup> of 1 reading)

i. RESOLUTION:

Establishment of Permit Parking on the 300 block of 7 ½ St SW (1<sup>st</sup> of 1 reading)

j. RESOLUTION:

Establishment of Permit Parking on the south side of the 1000 Block of Grady Ave between 10th St NW and 10 ½ St NW (1<sup>st</sup> of 1 reading)

k. ORDINANCE:

Second Extension of Cable Television Franchise Agreement (2<sup>nd</sup> of 2 readings)

l. ORDINANCE:

Lumos Networks Telecommunications Franchise Renewal (1<sup>st</sup> of 2 readings)

**2. RESOLUTION\***

Sidewalk Waiver Request for 1659 Cambridge Circle (1<sup>st</sup> of 1 reading)

Waiver granted 4-1 (Szakos voted no)

**3. REPORT\***

Belmont Bridge Steering Committee **voted 5-0 to form committee**

**4. REPORT**

RSWA Quarterly Update

**5. REPORT**

Civic Engagement Update

**OTHER BUSINESS**

**Resolution Authorizing Acquisition of 708 Page Street Passed 5-0**

Road Project Recommendations **Passed 5-0**

Approval of Transit Funding Letters **Passed 5-0**

**MATTERS BY THE PUBLIC**

\*ACTION NEEDED

**RESOLUTION  
ACCEPTING CHRISTA COURT  
INTO THE CITY STREET SYSTEM FOR MAINTENANCE**

**WHEREAS**, a private road named Bolick Court in the Evangeline Subdivision was created by subdivision plat dated October 12, 1994, last revised September 1, 1995, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 681, Pages 169-170; and

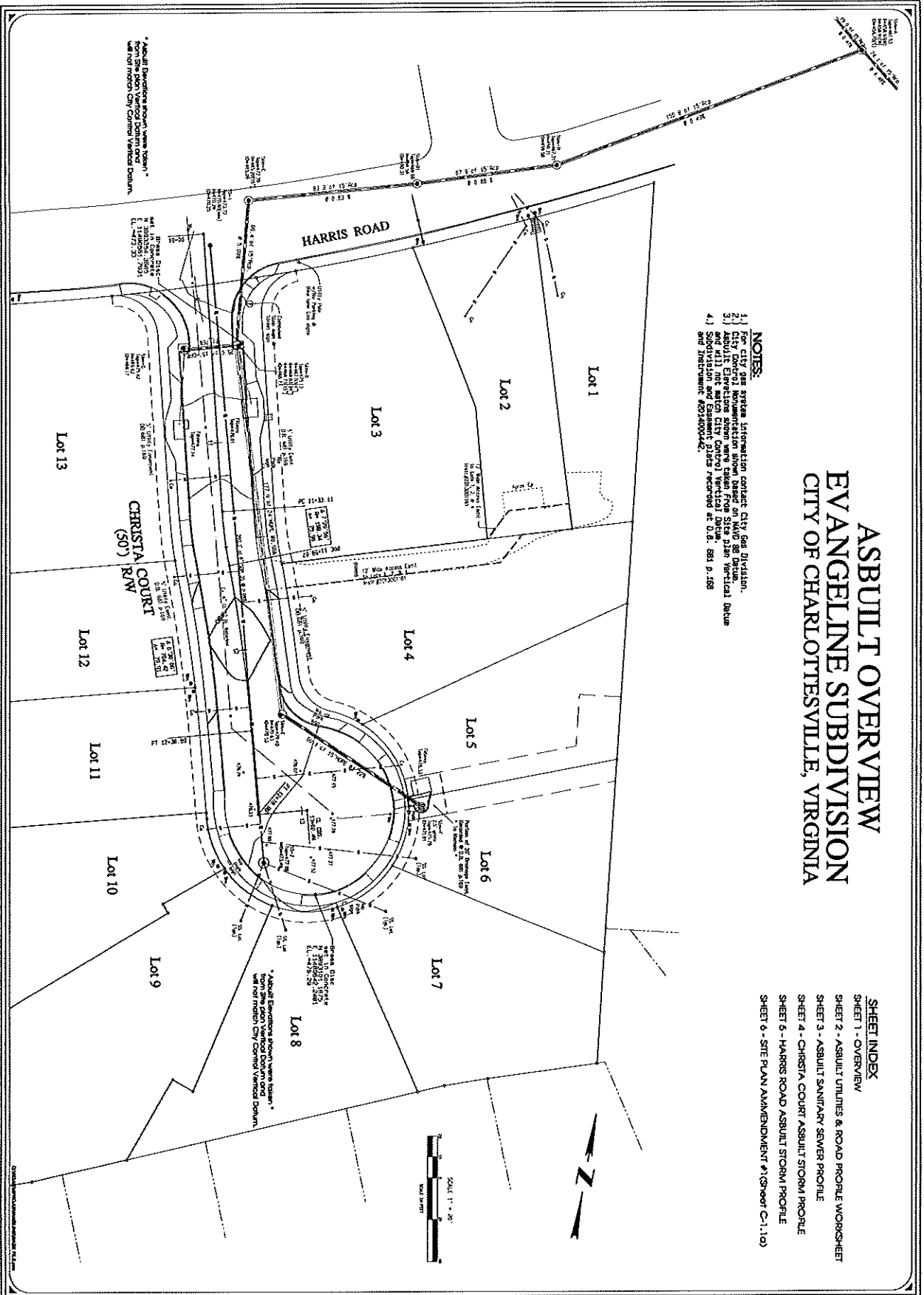
**WHEREAS**, Dickerson Homes purchased the lots in the Evangeline Subdivision in 2012, constructed 9 homes, re-named Bolick Court as Christa Court, and improved the cul-de-sac street to meet City street standards; and

**WHEREAS**, Dickerson Homes has requested the acceptance of Christa Court into the City street system, and after inspection the City Engineer recommended its acceptance; now, therefore,

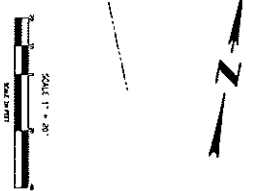
**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer and City Manager, that Christa Court, formerly known as Bolick Court, which has been built to the specifications and standards required by City-approved plans, is hereby accepted into the City street system for maintenance.

# ASBUILT OVERVIEW EVANGELINE SUBDIVISION CITY OF CHARLOTTEVILLE, VIRGINIA

- NOTES:**
- 1) For City and other information contact City Gas Division.
  - 2) City Control Monumentation shown based on NAVD 88 datum.
  - 3) ASBUILT Elevations shown were taken from site plan Vertical Datum. See title block for City Control Vertical Datum.
  - 4) Survey was performed on 05/27/2010. Station ID: 881 P-158 and Instrument: 403400042.



- SHEET INDEX**
- SHEET 1 - OVERVIEW
  - SHEET 2 - ASBUILT UTILITIES & ROAD PROFILE WORKSHEET
  - SHEET 3 - ASBUILT SANITARY SEWER PROFILE
  - SHEET 4 - CHRISTA COURT ASBUILT STORM PROFILE
  - SHEET 5 - HARRIS ROAD ASBUILT STORM PROFILE
  - SHEET 6 - SITE PLAN AMENDMENT #1 (Sheet C-1.10)



SHEET 1/6	FILE NUMBER 0523	<b>ASBUILT OVERVIEW ROAD AND UTILITIES PLAN EVANGELINE SUBDIVISION</b> <small>CHARLOTTEVILLE, VIRGINIA</small>	DATE JUNE 13, 2010 SCALE 1" = 20' HORIZ 2" VERT CONTINGENTIAL 2 FEET	PROJECT ADDRESS CONTACTS	<b>ROUDABUSH, GALE &amp; ASSOCIATES, INC.</b> ENGINEERS, SURVEYORS AND LAND PLANNERS A PROFESSIONAL CORPORATION "SERVING VIRGINIA SINCE 1958" 914 MONTICELLO ROAD - CHARLOTTEVILLE, VIRGINIA 22902 PHONE 434-577-0250 - FAX 434-596-6220 - EMAIL INFO@ROUDABUSH.COM
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**RESOLUTION**  
**Granting a Sidewalk Waiver Request**  
**Pine Top Road and Blue Ridge Road**

**WHEREAS**, application has been made for a waiver of the requirement under City Code Section 34-1124(b) to construct a sidewalk along portions of Pine Top Road and Blue Ridge Road adjacent to Lot 69C (the “Property”), as shown on a subdivision plat dated September 27, 2013, attached hereto, which Property is currently designated as Parcel 7.2 on City Real Estate Tax Map 40, which Property is currently unimproved; and,

**WHEREAS**, City staff has submitted to Council comments and recommendations regarding the sidewalk waiver request, and Council has reviewed the matter; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the sidewalk waiver request for the Property is hereby approved, with conditions, upon a finding that the following circumstances create an unusual situation, justifying a departure from the City’s general requirement for construction of a sidewalk:

1. Pine Top Road has limited right-of-way width, making it difficult to accommodate a sidewalk.
2. There are mature trees and utility lines on the Blue Ridge Road section where the sidewalk would be located, and the provision of a sidewalk in this area would likely require the loss of the mature trees.
3. Pedestrian access to nearby greenbelt trails is already readily available via a nearby unopened right-of-way.

**BE IT FURTHER RESOLVED** that approval of the waiver is conditioned upon the owner of the Property submitting a tree preservation plan for any tree on the Property within 15 feet of the edge of the Pine Top Road or Blue Ridge Road right-of-way. The plan shall be reviewed and approved by the City Arborist prior to the approval of any building permit for construction of any building or structure on the Property, and again thereafter, prior to issuance of any Certificate of Occupancy for any building or structure constructed on the Property.

**RESOLUTION**  
**APPROVING THE 300 BLOCK OF 7½ STREET SW**  
**AS A RESTRICTED PARKING AREA**

**WHEREAS**, residents of the 300 block of 7½ Street SW have requested that City Council designate that block as a restricted parking area; and

**WHEREAS**, in accordance with City Code Section 15-201, *et seq.*, the City Traffic Engineer has conducted on street parking surveys and mailed notice to all residents of the affected area that Council will consider designating such area as a restricted parking area; and

**WHEREAS**, the surveys have shown that at least 75% of the total number of on street parking spaces in the proposed restricted parking area were occupied, and at least 50% of the total number of on street parking spaces in that area were occupied by commuter vehicles; and

**WHEREAS**, in accordance with City Code Section 15-203(b)(3), the City Manager has certified that the parking surveys have met the minimum parking occupancy requirements for permit parking controls; and

**WHEREAS**, Council has considered:

- (a) the purpose and intent of the permit parking ordinance and regulations;
- (b) the alternate means of transportation, if any, to and from the restricted parking area being established;
- (c) the adverse impact that restricting parking in such area might have on nearby neighborhoods that do not have permit parking;
- (d) the adverse impact that such restrictions may have on the non-residents of the proposed restricted parking area and their ability to find available parking near their place of work; and
- (e) the hours, if any, during which the proposed restricted parking area is affected by commuter vehicles; now, therefore

**BE IT RESOLVED** by the Council of the City of Charlottesville that the 300 block of 7½ Street SW, from Cherry Avenue to Dice Street, is hereby designated as a restricted parking area.

**RESOLUTION**  
**APPROVING THE 1000 BLOCK OF GRADY AVENUE**  
**BETWEEN 10<sup>th</sup> STREET, N.W. AND 10½ STREET, N.W.**  
**AS A RESTRICTED PARKING AREA**

**WHEREAS**, residents of the 1000 block of Grady Avenue between 10<sup>th</sup> Street, N.W. and 10½ Street, N.W. have requested that City Council designate that block as a restricted parking area; and

**WHEREAS**, in accordance with City Code Section 15-201, *et seq.*, the City Traffic Engineer has conducted on street parking surveys and mailed notice to all residents of the affected area that Council will consider designating such area as a restricted parking area; and

**WHEREAS**, the surveys have shown that at least 75% of the total number of on street parking spaces in the proposed restricted parking area were occupied, and at least 50% of the total number of on street parking spaces in that area were occupied by commuter vehicles; and

**WHEREAS**, in accordance with City Code Section 15-203(b)(3), the City Manager has certified that the parking surveys have met the minimum parking occupancy requirements for permit parking controls; and

**WHEREAS**, Council has considered:

- (a) the purpose and intent of the permit parking ordinance and regulations;
- (b) the alternate means of transportation, if any, to and from the restricted parking area being established;
- (c) the adverse impact that restricting parking in such area might have on nearby neighborhoods that do not have permit parking;
- (d) the adverse impact that such restrictions may have on the non-residents of the proposed restricted parking area and their ability to find available parking near their place of work; and
- (e) the hours, if any, during which the proposed restricted parking area is affected by commuter vehicles; now, therefore

**BE IT RESOLVED** by the Council of the City of Charlottesville that the 1000 block of Grady Avenue between 10<sup>th</sup> Street, N.W. and 10½ Street, N.W. is hereby designated as a restricted parking area.

**AN ORDINANCE EXTENDING THE TERM OF A  
FRANCHISE AGREEMENT WITH COMCAST CABLE**

**WHEREAS**, the City of Charlottesville and Comcast of California/ Maryland/ Pennsylvania/ Virginia/ West Virginia, LLC are currently parties to a cable Franchise Agreement, which is due to expire on June 30, 2014; and

**WHEREAS**, the parties are actively involved in negotiating terms for a franchise renewal agreement, and require additional time to do so; and

**WHEREAS**, the City Council of the City of Charlottesville hereby authorizes the City Manager to execute an amendment to the Franchise Agreement extending the term thereof to December 30, 2014; now, therefore,

**BE IT ORDAINED** that the City Manager is authorized to execute a second amendment to the Franchise Agreement extending the agreement until December 30, 2014, unless a renewal agreement is reached and executed between Franchisee and the City at an earlier date.

All other terms and conditions of the Franchise Agreement shall continue in full force and effect.

**AMENDMENT TO THE FRANCHISE AGREEMENT BETWEEN THE CITY OF  
CHARLOTTESVILLE AND COMCAST OF CALIFORNIA/ MARYLAND/  
PENNSYLVANIA/ VIRGINIA/ WEST VIRGINIA, LLC DATED NOVEMBER 21, 2003**

The parties to the above-described agreement hereby agree to the following:

Section 4.05 is amended by adding the following sentence:

The Franchise shall be extended until December 30, 2014, unless  
and until a renewal agreement is reached and executed between  
Franchisee and the City at an earlier date.

All other terms and conditions of the Franchise Agreement shall continue in full  
force and effect.

**CITY OF CHARLOTTESVILLE**

By: \_\_\_\_\_  
City Manager or designee

**Comcast of California/ Maryland/  
Pennsylvania/ Virginia/ West Virginia,  
LLC**

By: \_\_\_\_\_  
John Conwell  
Vice President, Government Affairs  
Comcast Beltway Region



**RESOLUTION**  
**Approving a Sidewalk Waiver Request**  
**1629 Cambridge Circle**

**WHEREAS**, application has been made for a waiver of the requirement under City Code Section 34-1124(b) for the construction of a sidewalk at 1629 Cambridge Circle, where a single family house was recently constructed on an unimproved lot; and,

**WHEREAS**, City staff has submitted to Council comments and recommendations regarding the sidewalk waiver request, and Council has reviewed the staff recommendations and the information and materials submitted with the application; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the sidewalk waiver request for 1629 Cambridge Circle is hereby approved, upon a finding that the following circumstances create an unusual situation:

1. There are currently no existing sidewalks located on property on either side of this lot; and
2. The Barracks/Rugby Neighborhood Plan (2006) supports the creation of sidewalks only on streets where the neighborhood residents want them, and four nearby property owners have indicated that they support this waiver request.

**A RESOLUTION  
AUTHORIZING THE ACQUISITION OF 708 PAGE STREET  
FOR \$259,400, PAID FROM THE CAPITAL IMPROVEMENT PROGRAM  
CONTINGENCY ACCOUNT**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Council hereby authorizes the acquisition of the property located at 708 Page Street, further identified as Parcel 293 on City Real Property Tax Map 31, for the purchase price of \$259,400. The City Manager is hereby authorized to execute a Purchase Agreement, and the Mayor is authorized to sign the deed of conveyance, both in form approved by the City Attorney. The City Attorney is directed to take whatever steps are necessary to effect the closing on the conveyance of the property to the City.

**BE IT FURTHER RESOLVED** by the Council of the City of Charlottesville, Virginia that the purchase of 708 Page Street is paid from the Capital Improvement Program Contingency Account:

\$ 259,400      Fund: 426      WBS: CP-080      G/L Account: 541011