



CITY COUNCIL AGENDA
September 4, 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

Payroll Proclamation; Emergency Preparedness; World Alzheimer's Month Proclamation

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

1. CONSENT AGENDA*

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

a. Minutes for August 20

b. APPROPRIATION:

Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704
(2nd of 2 readings)

c. APPROPRIATION:

Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - \$182,500
(2nd of 2 readings)

d. APPROPRIATION:

Feed Your Mind National League of Cities/Wal-Mart CHAMP Grant - \$55,470
(2nd of 2 readings)

e. APPROPRIATION:

Check and Connect Student Engagement Grant - \$75,000 (2nd of 2 readings)

f. RESOLUTION:

Reallocation of (\$86,121.57) and Approval of New Allocations from the
Charlottesville Housing Fund (CHF) Dollars (\$288,000) (1st of 1 reading)

g. RESOLUTION:

715 Nalle Street Infill Special Use Permit (1st of 1 reading)

h. ORDINANCE:

Sale of Property to Fry's Spring Beach Club – Old Lynchburg Road Project
(2nd of 2 readings)

i. ORDINANCE:

Application for PUD Rezoning – Lochlyn Hill PUD (2nd of 2 readings)

2. REPORT*

Approval of McIntire Park Master Plan – East Side

3. REPORT*

Downtown Mall Ambassador's Program

4. REPORT

Boys & Girls Club of Central Virginia Summer Youth Program Update

5. REPORT

CAYIP Update

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

APPROPRIATION
Virginia Juvenile Community Crime Control Act Grant (VJCCCA)
\$452,704

WHEREAS, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice, and \$52,231 from Albemarle County;

WHEREAS, the funds will be used to operate the VJCCCA Programs. The grant award covers the period from July 1, 2012 through June 30, 2013

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$452,704 is hereby appropriated in the following manner:

Revenue – \$452,704

\$292,058	Fund: 220	Cost Center: 3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center: 3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center: 3523001000	G/L Account: 498010

Expenditures - \$452,704

\$ 49,775	Fund: 220	Cost Center: 3523001000	G/L Account: 519999
\$402,929	Fund: 220	Cost Center: 3523001000	G/L Account: 530010

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$292,058 from VA Department of Juvenile Justice, and \$52,231 from Albemarle County.

APPROPRIATION
Charlottesville/Albemarle Adult Drug Treatment Court Grant Award
\$182,500

WHEREAS, the Supreme Court of Virginia awarded the Byrne Grant in the amount of \$182,500 for the Charlottesville/Albemarle Drug Court Treatment Court in order to fund salaries, benefits, and operating expenses; and

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$121,949; and

WHEREAS, the grant award covers the period July 1, 2012 through June 30, 2013.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$182,500, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$182,500 Fund: 209 Internal Order: 1900187 G/L Account: 430120

Expenditures

\$182,500 Fund: 209 Internal Order: 1900187 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$182,500 from the Supreme Court of Virginia.

APPROPRIATION

**National League of Cities/Wal-Mart CHAMP Grant
\$55,470**

WHEREAS, the City of Charlottesville has been awarded a NLC/Wal-Mart CHAMP (Cities Combating Hunger through the Afterschool Meals Program) grant in the amount of \$55,470 to be used for planning and implementing an after school meals to children in need;

WHEREAS, the grant award covers the period from period July 15, 2012 through January 15, 2013;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$55,470, received from the National League of Cities is hereby appropriated in the following manner:

Revenue

\$ 55,470 Fund: 210 I/O: 1900189 G/L Account: 451022 Other Grant Funding

Expenditure

\$ 55,470 Fund: 210 IO: 1900189 G/L Account: 599999 Lump Sum Approp.

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$55,470 from the National League of Cities/Wal-Mart CHAMP grant.

APPROPRIATION
Check and Connect Student Engagement Grant
\$75,000

WHEREAS, the City of Charlottesville has been awarded \$67,500 in Federal Funds from the Virginia Department of Juvenile Justice, and \$7,500 in Matching Funds for a total award of \$75,000 for the Check and Connect Student Engagement Program; and

WHEREAS, the grant award covers the period from July 1, 2012 through June 30, 2013.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$75,000 is hereby appropriated in the following manner:

Revenue – \$75,000

\$67,500	Fund: 209	Cost Center: 3413008000	G/L Account: 430120
\$ 7,500	Fund: 209	Cost Center: 3413008000	G/L Account: 498010

Expenditures - \$75,000

\$53,009	Fund: 209	Cost Center: 3413008000	G/L Account: 519999
\$11,048	Fund: 209	Cost Center: 3413008000	G/L Account: 520010
\$ 9,500	Fund: 209	Cost Center: 3413008000	G/L Account: 530010
\$ 1,443	Fund: 209	Cost Center: 3413008000	G/L Account: 530100

Transfer - \$7,500

\$ 7,500	Fund: 213	Cost Center: 3411001000	G/L: 561209 Transfers for State Grants
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$67,500 from VA Department of Criminal Justice Services, and \$7,500 from Community Attention.

RESOLUTION
Reallocation of (\$86,121.57) and Approval of New Allocations from the Charlottesville Housing Fund (CHF) Dollars (\$288,000)

WHEREAS, \$86,121.57 in previously allocated dollars from the Charlottesville Housing Fund can be released and reallocated to other projects as recommended by staff and approved by Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$288,000 be allocated from Charlottesville Housing Funds in the following manner:

Fund: 426

Project: CP-084

G/L Account: 599999

AHIP	\$200,000
HOME Match	\$58,000
Misc. Training/Admin. Expenses	\$30,000

**RESOLUTION GRANTING AN INFILL SPECIAL USE PERMIT
FOR A NEW SINGLE FAMILY RESIDENTIAL LOT
AT 715 NALLE STREET**

WHEREAS, Stephen Hitchcock and Kendall Cox, contract-purchasers of the property at 715 Nalle Street, have requested an infill special use permit with respect to the property identified on City Tax Map 30 as Parcel 37, consisting of approximately 0.25 acre or 10,800 square feet (“Subject Property”), for a new single family residential lot; and

WHEREAS, Stephen Hitchcock and Kendall Cox have requested an infill special use permit at 715 Nalle Street to allow a density of 7.87 dwelling units per acre, and changes in the following requirements for R-1S development:

- a. Reduce the required lot frontage from fifty feet (50’) to thirty-six feet (36’);
- b. Reduce the lot size requirement from 6,000 square feet to 5,532 square feet; and
- c. Allow the new pervious driveway to be located less than three feet (3’) from the adjoining property.

WHEREAS, the Subject Property is zoned “R-1S” (Residential District-Small Lot Single Family) and, pursuant to §34-165 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 August 14, 2012, this Council finds that such use is allowed under City Code Section 34-165 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 Stephen Hitchcock and Kendall Cox for a new single family residential lot at 715 Nalle Street. Approval of this special use permit is conditioned upon the following:

1. Staff approval of the LID features presented on an engineering plan.
2. A dwelling built on the newly created lot shall be entitled only to one residential parking permit.

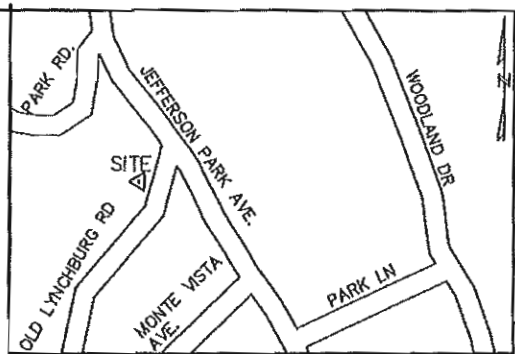
**AN ORDINANCE
AUTHORIZING THE CONVEYANCE OF
A PORTION OF THE OLD LYNCHBURG ROAD RIGHT OF WAY
TO FRY'S SPRING BEACH CLUB, INC.**

WHEREAS, Fry's Spring Beach Club, Inc. (FSBC), the owner of property designated as Parcel 34 on City Real Estate Tax Map 19 (2512 Jefferson Park Avenue), wishes to acquire a portion of the adjoining Old Lynchburg Road right of way, as shown on the attached plat by AECOM dated July 31, 2012; 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 FSBC; and

WHEREAS, the City Assessor, Department of Neighborhood Services, and Department of Public Works have reviewed the proposed conveyance and have no objection thereto;

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 Old Lynchburg Road right of way, approximately 2,488 square feet in area (0.057 acres), adjacent to Parcel 34 on City Tax Map 19, and shown on the attached plat by AECOM dated July 31, 2012. The City Attorney is hereby authorized to take whatever steps are necessary to effect the closing of said property conveyance.



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: R1-5

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
FRY'S SPRING BEACH CLUB, INC.

AND
THE CITY OF CHARLOTTESVILLE, VIRGINIA



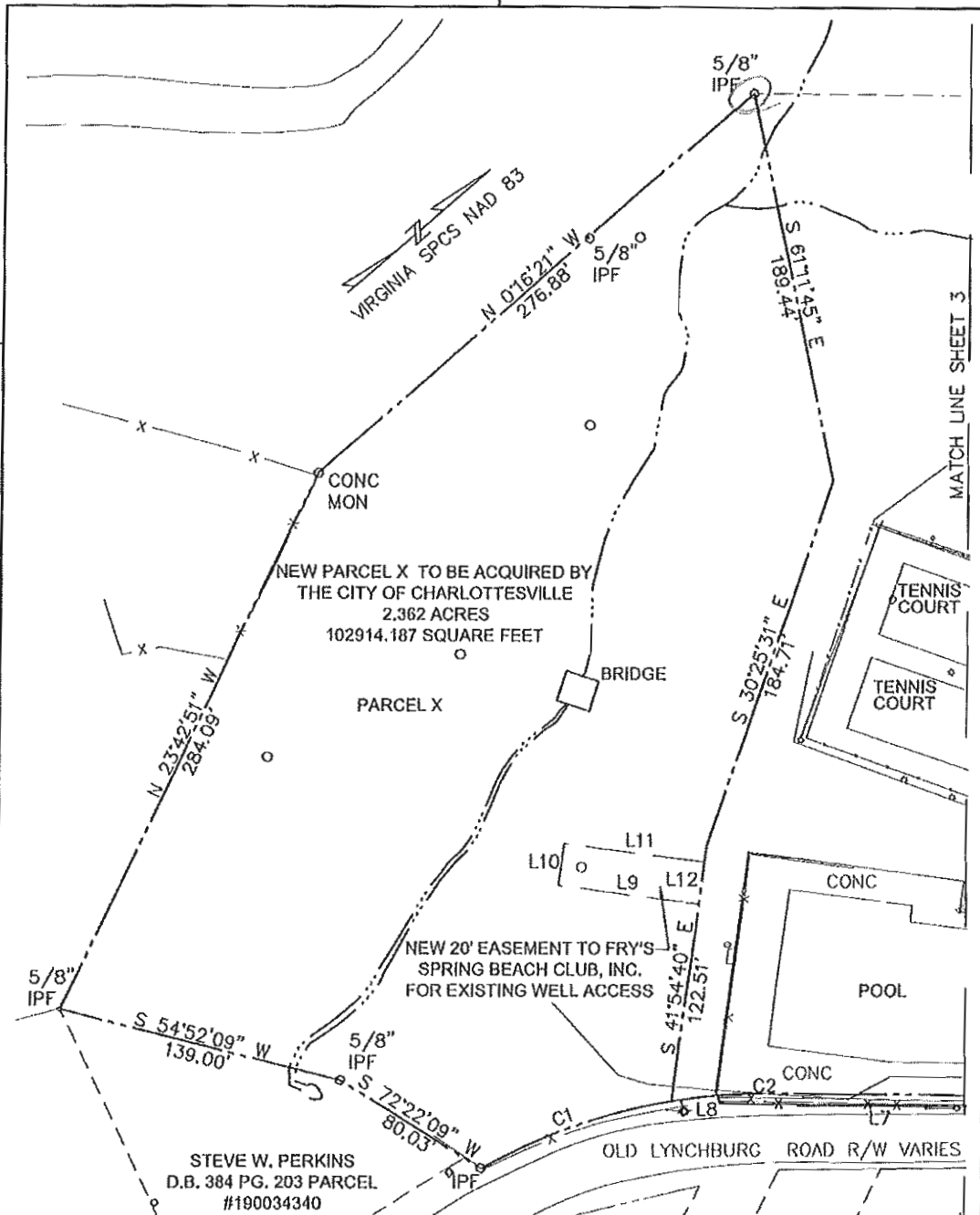
AECOM
1315 FRANKLIN ROAD
ROANOKE, VIRGINIA 24016
PHONE (540) 857-3100

PROJECT NO:	30211	DRAWN BY:	B9G
CHECKED BY:	MAL	APPROVED BY:	MAL

SCALE N/A DATE JULY 19, 2012

SHEET 1 OF 3

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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'

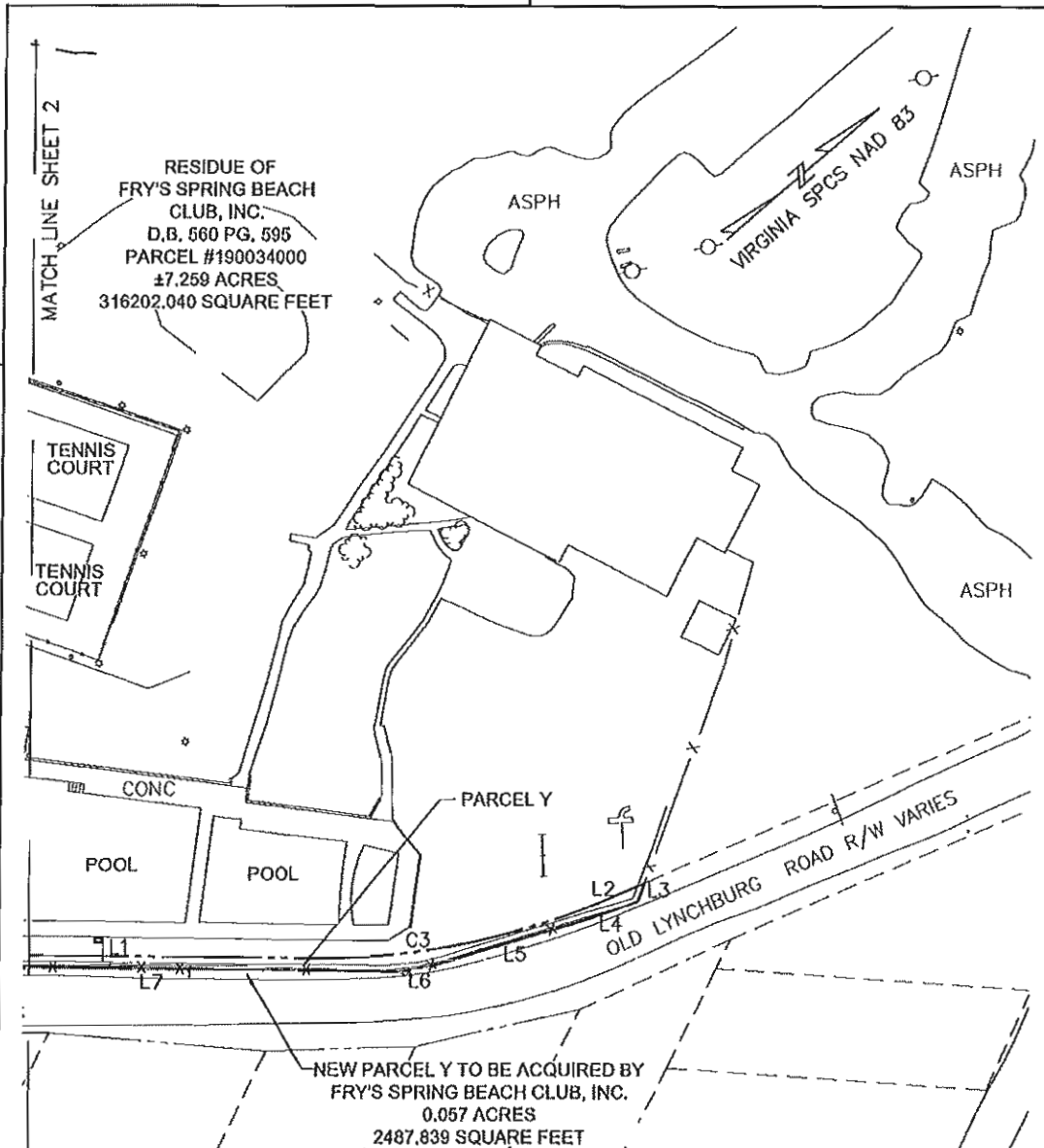


PLAT SHOWING A
MINOR SUBDIVISION AND
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ON THE PROPERTIES OF
FRY'S SPRING BEACH CLUB, INC.
AND
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AECOM
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1315 FRANKLIN ROAD
ROANOKE, VIRGINIA 24016
PHONE (810) 857-3100

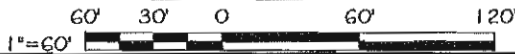
PROJECT NO:	30211	DRAWN BY:	B9G
CHECKED BY:	MAL	APPROVED BY:	MAL

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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'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
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'



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

AECOM

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

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

SCALE 1"=60' DATE JULY 19, 2012

SHEET 3 OF 3

**AN ORDINANCE
APPROVING A REQUEST TO REZONE PROPERTY LOCATED AT
PENN PARK LANE (TAX MAP PARCELS 48A-39 AND 48A-40)
FROM R-2 (RESIDENTIAL – TWO FAMILY) TO
PLANNED UNIT DEVELOPMENT (LOCHLYN HILL)**

WHEREAS, Milestone Partners, LLC (“Applicant”), agent for the Owner of property off Penn Park Lane designated as Parcels 39 and 40 on City Tax Map 48A, submitted an application seeking a rezoning of such property from R-2 (Residential-Two Family) to Planned Unit Development (PUD), hereinafter the “Proposed Rezoning”; and

WHEREAS, a joint public hearing on the Proposed Rezoning was held before the City Council and Planning Commission on July 10, 2012, following notice to the public and to adjacent property owners as required by law; and

WHEREAS, legal notice of the public hearing held on July 10, 2012 was advertised in accordance with Va. Code Sec. 15.2-2204; and

WHEREAS, the Applicant submitted a Preliminary Proffer Statement dated June 11, 2012, as required by City Code Section 34-64(a), and presented the Preliminary Proffer Statement to the Planning Commission on July 10, 2012; and

WHEREAS, on July 10, 2012, the Planning Commission voted to recommend approval of the Proposed Rezoning to the City Council on the basis of general welfare and good zoning practice; and

WHEREAS, the Applicant submitted a Final Proffer Statement dated July 12, 2012, 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 and good zoning practice requires the Proposed Rezoning; that both the existing zoning classifications (R-2 Residential-Two Family) and the proposed “PUD” 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-Two Family to Planned Unit Development (PUD), subject to the proffered development conditions set forth within the Final Proffer Statement, the property located off Penn Park Lane designated as Parcels 39 and 40 on City Tax Map 48A, consisting of approximately 25.6 acres, or 1,115,136 square feet.