



**CITY COUNCIL  
AGENDA  
TUESDAY, SEPTEMBER 11, 2018**

**Worksession Agenda**

City Hall - 10th Floor Conference Room

**Dinner & Closed Session - 4:30**

**Closed Session**

- Disposition of Property
- Contract Negotiation
- Legal Matter
- Appointments
- Personnel Matter

**Agenda Overview**

*Douglas L. Smith, City Manager*

**Legislative Update**

*Morgan Whayland, Intergovernmental Relations Officer*

**CNI Application Update**

*Susan Perry, Special Assistant to the City Manager*

**Retreat Discussion**

*Douglas L. Smith, City Manager*

**Additional Documents**

Documents:

[9-11-18 MINUTES FROM CITY COUNCIL MEETING OF AUGUST 28.PDF](#)

[9-11-18 PENDING LAND USE ACTIONS.PDF](#)

**Announcement Of Meeting**

Documents:

[9-11-18 ANNOUNCEMENT OF MEETING.PDF](#)

**Formal Session**

7:00 PM - Council Chambers, City Hall, 11th Floor

## Prayer

Prayer to be offered by Reverend Canon Win Lewis, Christ and St. Luke's Episcopal Church, followed by the Pledge of Allegiance.

## Consent Agenda

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED. IF DISCUSSION IS DESIRED ON ANY ITEM, IT WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

C-1

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize a **Short-Term Rental (Vacation Rental)** dwelling unit on property located at **1407 Bayville Court**.

Documents:

[C-1 CONDITIONAL USE PERMIT - 10 MILE VIEW.PDF](#)

C-2

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize a **Short-Term Rental (Vacation Rental) Dwelling Unit** on property located at **1333 Bayville Street**.

Documents:

[C-2 CONDITIONAL USE PERMIT - CHESAPEAKE ESCAPES.PDF](#)

C-3

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a restaurant operating after midnight with live entertainment and the sale of alcoholic beverages for off-premises consumption, named "**219 American Bistro**," on property located at **219 Granby Street, Unit 11**.

Documents:

[C-3 CONDITIONAL USE PERMIT - 219 AMERICAN BISTRO.PDF](#)

C-4

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a restaurant operating after midnight with live entertainment and the sale of alcoholic beverages for off-premises consumption, named "**456 Fish**," on property located at **456 Granby Street**.

Documents:

[C-4 CONDITIONAL USE PERMITS - 456 FISH.PDF](#)

C-5

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a restaurant operating after midnight with live entertainment and the sale of alcoholic beverages for off-

premises consumption, named "**Big Easy Grill and Oyster Bar**" on property located at **111 West Tazewell Street, Unit 101A**.

Documents:

[C-5 CONDITIONAL USE PERMIT - BIG EASY GRILL AND OYSTER BAR.PDF](#)

C-6

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a restaurant operating after midnight with live entertainment and the sale of alcoholic beverages for off-premises consumption, named "**Byrd and Baldwin Bros. Steakhouse**" on property located at **116 Brooke Avenue, Unit A**.

Documents:

[C-6 CONDITIONAL USE PERMIT - BYRD AND BALDWIN BROS. STEAKHOUSE.PDF](#)

C-7

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a restaurant operating after midnight with live entertainment and the sale of alcoholic beverages for off-premises consumption, named "**Leone's**" on properties located at **449 to 455 Granby Street and 105 to 119 West Charlotte Street**.

Documents:

[C-7 CONDITIONAL USE PERMIT - LEONES.PDF](#)

C-8

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** authorizing a drive-through facility for "**Rally's Restaurant**" on property located at **1366 East Little Creek Road**.

Documents:

[C-8 CONDITIONAL USE PERMIT - RALLYS RESTAURANT.PDF](#)

C-9

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment named "**MP Island Café**" on property located at **6109 East Virginia Beach Boulevard, Suite B**.

Documents:

[C-9 CONDITIONAL USE PERMIT - MP ISLAND CAFE.PDF](#)

C-10

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a restaurant operating after midnight with live entertainment and the sale of alcoholic beverages for off-premises consumption, named "**Hair of the Dog Eatery**," on property located at

**250 Granby Street.**

Documents:

[C-10 CONDITIONAL USE PERMITS - HAIR OF THE DOG EATERY.PDF](#)

C-11

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the operation of a Daycare Home named "**Courtney's Daycare**" on property located at **9526 Warwick Avenue**.

Documents:

[C-11 CONDITIONAL USE PERMIT - COURTNEYS DAYCARE.PDF](#)

C-12

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the operation of a tire sales and repair establishment named "**Discount Tire**" on property located at **5764 East Virginia Beach Boulevard**.

Documents:

[C-12 CONDITIONAL USE PERMIT - DISCOUNT TIRE.PDF](#)

C-13

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize gasoline sales and the sale of alcoholic beverages for off-premises consumption at an establishment known as "**Airport Quick Mart**" on property located at **2504 East Little Creek Road**.

Documents:

[C-13 CONDITIONAL USE PERMIT - AIRPORT QUICK MART.PDF](#)

C-14

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to permit the expansion of a nonconforming use on property located at **2116 Wheeling Avenue**.

Documents:

[C-14 CONDITIONAL USE PERMIT - RAY VARGA.PDF](#)

C-15

Letter from the City Manager and an Ordinance entitled, An Ordinance permitting **161 Granby Street LLC** to encroach into the rights-of-way of **Granby Street** and **City Hall Avenue** with a sign.

Documents:

[C-15 ENCROACHMENT WITH A SIGN AT GRANBY ST AND CITY HALL AVE.PDF](#)

C-16

Letter from the City Manager and an Ordinance entitled, An Ordinance to amend and reordain **Section 42-201** of the **Code of the City of Norfolk, 1979**, regarding special numbering provisions as to certain buildings, **SO AS TO** add one new Subsection renumbering **117 W. Virginia Beach Boulevard** as **888 Magazine Lane**.

Documents:

[C-16 AMEND CITY CODE TO RENUMBER 117 W VIRGINIA BEACH BLVD.PDF](#)

C-17

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a **FY2019 Addiction Recovery Program Grant Award** of \$48,000.00 from the **Virginia Department of Criminal Justice Services** for the **Norfolk Sheriff's Office** and appropriating and authorizing the expenditure of the funds for the program.

Documents:

[C-17 GRANT AWARD FOR THE FY2019 ADDICTION RECOVERY PROGRAM.PDF](#)

C-18

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a grant in the amount of \$1,205,529.00 from the **Virginia Department of Criminal Justice Services** for the **Norfolk Criminal Justice Services Agency** for **Fiscal Year 2019**, appropriating and authorizing the expenditure of the grant funds in the amount of \$1,205,529.00, authorizing the expenditure of \$158,932.00 in local funding for the **NCJS Agency**, authorizing the employment of twenty (20) persons for the **NCJS Agency** and providing funds for their salaries and benefits.

Documents:

[C-18 GRANT AWARD TO THE NORFOLK CRIMINAL JUSTICE SERVICES AGENCY.PDF](#)

C-19

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a \$174,714.00 grant award from the **United States Department of Justice, Bureau of Justice Assistance Grant Program** and appropriating and authorizing the expenditure of the funds for community policing activities.

Documents:

[C-19 GRANT AWARD FOR THE FY17 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.PDF](#)

C-20

Letter from the City Manager and an Ordinance entitled, An Ordinance to schedule a **Council Retreat** on **Monday, September 17, 2018** and **Tuesday, September 18, 2018** and to move the location from the **Council Chamber** of the **City Hall** building to the **Jordan-Newby Anchor Branch Public Library at Broad Creek**.

Documents:

[C-20 SCHEDULING THE CITY COUNCIL RETREAT.PDF](#)

C-21

Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the **City Treasurer** to issue a refund to **Correct Care Solutions, LLC** in the amount of **\$9,476.66, plus interest** based upon the overpayment of its business license tax for the tax year 2018.

Documents:

[C-21 TAX OVERPAYMENT - CORRECT CARE SOLUTIONS, LLC.PDF](#)

C-22

Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the **City Treasurer** to issue a refund to **Southern Bank and Trust Company** in the amount of **\$43,338.00, plus interest** based upon the overpayment of its bank franchise tax for the tax years 2015 through 2017.

Documents:

[C-22 TAX OVERPAYMENT - SOUTHERN BANK AND TRUST COMPANY.PDF](#)

## Regular Agenda

R-1

Matter of an **Invitation to Bid** scheduled this day pursuant under State Law, public notice having been inserted in the local press by the City Clerk, accepting the bid submitted by **Granby Station Holdings, LLC** for a **Lease** with a term of seven (7) years, with the option to renew the Lease for two (2) additional periods of five(5) years each, for the premises located at **103 and 111 Granby Street** in the building located at **120 W. Main Street** in the **City of Norfolk**, and authorizing the **City Manager** to execute the **Lease** on behalf of the City of Norfolk," will be introduced in writing and read by its title.

**(PASSED BY AT THE MEETING OF AUGUST 28,2018)**

Documents:

[R-1 ACCEPTANCE OF BID BY GRANBY STATION HOLDINGS, LLC FOR A LEASE AT 120 W. MAIN ST.PDF](#)

R-2

Letter from the City Manager and an Ordinance entitled, "An Ordinance to change the name of that certain street known as **Stoney Point Way** to **Pryer Lane** in honor of **Roosevelt Pryer, a World War II and Korean War Veteran**, for his long standing Civil Service," will be introduced in writing and read by its title.

Documents:

[R-2 CHANGE STONEY POINT WAY TO PRYER LANE.PDF](#)

R-3

Letter from the City Manager and an Ordinance entitled, "An Ordinance requesting the **Virginia Department of Transportation** to establish projects for the **Little Creek Road/Admiral Taussig Intersection**, the **ADA Ramp Construction - Phase 4**, the **Little Creek Road and Shore Drive Intersection** and the **Hampton Boulevard and Azalea Court Intersection**, in accordance with the **Programmatic Project Administration Agreement** between the **City of Norfolk** and the **Virginia Department of Transportation**; and appropriating and authorizing the expenditure of the total sum of \$3,389,376.00 for these projects, subject to and in accordance with the terms and conditions of the aforesaid **Agreement**," will be introduced in writing and read by its title.

Documents:

[R-3 VDOT FY2019 REVENUE SHARING PROGRAM - FOUR PROJECTS.PDF](#)

R-4

Letter from the City Manager and an Ordinance entitled, "An Ordinance amending and restating the City's **ICMA Retirement Corporation Deferred Compensation Plan and Trust** under **Section 26 U.S.C. 457** of the **Federal Code**," will be introduced in writing and read by its title.

Documents:

[R-4 ICMA-RC 457 PLAN - AUTOMATIC ENROLLMENT.PDF](#)

R-5

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a **License Agreement** with the **Norfolk Airport Authority** for the use of certain space located at **2200 Norview Avenue**," will be introduced in writing and read by its title.

Documents:

[R-5 LICENSE AGREEMENT WITH NORFOLK AIRPORT AUTHORITY FOR INSTALLATION OF ART.PDF](#)

R-6

Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain **Section 49-6** of the **Code of the City of Norfolk, Virginia, 1979**, **SO AS TO** incorporate the schedule of fees for **wetlands permits** previously adopted," will be introduced in writing and read by its title.

Documents: