



**CITY COUNCIL  
AGENDA  
TUESDAY, SEPTEMBER 25, 2018**

**Work Session Agenda**

City Hall - 10th Floor Conference Room

**3:30**

**Agenda Overview**

*Douglas L. Smith, City Manager*

**Preliminary Audit Meeting**

*Tammie Dantzer, Interim City Auditor*

*Greg Bussink, CPA, DGFM, CGMA*

*Principal, CliftonLarsonAllen LLP*

Documents:

[9-25-18 CITY AUDITOR PRESENTATION.PDF](#)

**Hurricane Florence Briefing**

*Wynter C. Benda, Chief Deputy City Manager*

Documents:

[9-25-18 HURRICANE FLORENCE UPDATE.PDF](#)

**City Council FY2019 Priorities**

- Legislative Focus Areas/School Infrastructure - *Morgan Whayland, Intergovernmental Relations Officer*
- Stormwater - *Christine Morris, Chief Resilience Officer*  
*Richard Broad, Director of Public Works*  
*John White, Stormwater Engineer*

Documents:

[9-25-18 PROPOSED LEGISLATIVE FOCUS AREAS AND SCHOOL INFRASTRUCTURE.PDF](#)

[9-25-18 STORMWATER INFRASTRUCTURE.PDF](#)

## Dinner & Closed Session - 6:00

### Closed Session

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

### Additional Documents

Documents:

[9-25-18 MEMO FOR ITEM PH-3 ZONING TEXT AMENDMENT.PDF](#)  
[9-25-18 MEMO FOR ITEM PH-4 ZONING TEXT AMENDMENT.PDF](#)  
[9-25-18 MINUTES FROM CITY COUNCIL MEETING OF SEPTEMBER 11.PDF](#)  
[9-25-18 PENDING LAND USE ACTIONS.PDF](#)

### Announcement Of Meeting

Documents:

[9-25-18 ANNOUNCEMENT OF MEETING.PDF](#)

### Formal Session

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

#### Prayer

Prayer to be offered by Senior Pastor Jim Wood, First Presbyterian Church, followed by the Pledge of Allegiance.

#### Public Hearings

PH-1

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments approving a Lease Agreement with **Vessel Craft Coffee, LLC** for the lease of certain space within city-owned property located at **810 Union Street**.

Documents:

[PH-01 LEASE AGREEMENT WITH VESSEL CRAFT COFFEE.PDF](#)

PH-2

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on vacating and releasing to **MMAC 150 Norfolk, LLC**, a utility easement located at **241 Corporate Boulevard** in the City of Norfolk.

Documents:

[PH-02 VACATION OF UTILITY EASEMENT AT 241 CORPORATE BLVD.PDF](#)

PH-3

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for text amendments to the *Norfolk Zoning Ordinance* to include provisions that were in the prior zoning ordinance regarding appeals from decisions of the BZA, maximum impervious cover for single-family dwellings in the MF-NS district, and outdoor storage in the BC-O, I-W and I-DW districts; to permit a restaurant to have reduced seating by CUP; to clarify the terms related to residential dwellings in a mixed-use setting, the requirement of a principal use for every accessory structure, the availability of special consideration for fences used for heightened security, and the nonconformity provisions applying to lots within 10 percent of lot area requirements; and to define the term "stories."

Documents:

[PH-03 TEXT AMENDMENT TO CITY ZONING ORDINANCE - 9 MINOR CHANGES.PDF](#)

PH-4

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for a Zoning Text Amendment to Section 4.3.3(E)(1)(i), "Home Occupation," of the *Norfolk Zoning Ordinance* to allow home occupations within the HC-WF1 (West Freemason Historic and Cultural Conservation) and HC-WF2 (West Freemason Historic and Cultural Conservation) districts to provide on-site service or consultation with customers or clients with a Conditional Use Permit and to clarify performance standards for home occupations.

Documents:

[PH-04 TEXT AMENDMENT TO CITY ZONING ORDINANCE FOR HOME OCCUPATIONS.PDF](#)

PH-5

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Provision Pros**, for: **(a)** an amendment to the future land use designation in the general plan, *plaNorfolk2030*, from Multifamily Corridor to Commercial and **(b)** a rezoning from MF-NS (Multi-Family-Neighborhood-Scale) and SF-T (Single Family-Traditional) to conditional C-C (Community Commercial) on property located at **2807 and 2811 Lafayette Boulevard, 3132 Verdun Avenue and 3133 Marne Avenue.**

Documents:

[PH-05 AMEND FUTURE LAND USE AND REZONING - PROVISIONS PROS.PDF](#)

PH-6

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Sentara Orthopedic** for: **(a)** an amendment to the future land use designation in the general plan, *plaNorfolk2030*, from Commercial to Institutional; **(b)** a rezoning from C-C (Community Commercial) to IN-C (Institutional-Campus) and **(c)** a Development Certificate to permit construction in the IN-C (Institutional-Campus) district with waivers from the setback requirements on property located at **6203 E. Virginia Beach Boulevard.**

Documents:

[PH-06 REZONING AND AMEND PLANORFOLK2030 - SENTARA LEIGH ORTHOPEDIC BUILDING.PDF](#)

PH-7

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Equity Development Corp. – THE TERN**, for: **(a)** an amendment to the Future Land Use Map within *plaNorfolk2030* from Commercial to Residential Mixed on properties located at **4035-4039 E. Ocean View Avenue, 9632-9657 21st Bay Street, and 9601 22nd Bay Street**; **(b)** change of zoning from C-C (Community Commercial) to PD (Planned Development) on portions of properties located at **4035-4039 E. Ocean View Avenue, 9632-9657 21st Bay Street, and 9601 22nd Bay Street**; **(c)** change of zoning from R-C (Residential Coastal) to PD (Planned Development) on portions of properties located at **9600-9624 21st Bay Street, 9601-9623 21st Bay Street, 9548-9574 21st Bay Street, 4003-4011 Pleasant Avenue, and ES 20th Bay Street**.

Documents:

[PH-07 AMEND FUTURE LAND USE AND REZONING - EQUITY DEVELOPMENT CORP..PDF](#)

PH-8

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments authorizing the conveyance to **Garry Yelity and Eva Yelity** of a certain parcel of property located at **219 Filbert Street** for the total sum of \$10,000.00 in accordance with the terms and conditions of the **Conveyance Agreement**.

Documents:

[PH-08 CONVEYANCE OF 219 FILBERT STREET TO GARRY AND EVA YELITY.PDF](#)

PH-9

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments approving an amendment to **Lease Agreement** between the City of Norfolk and **Norfolk State University Research and Innovation Foundation, Incorporated** for the premises located at **520 E. Main Street**.

Documents:

[PH-09 AMENDMENT TO LEASE EXTENSION WITH NORFOLK STATE UNIVERSITY.PDF](#)

### **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 **Christopher G. Robinson and Colleen F. Robinson** permission to encroach into city-owned property located adjacent to **9510 14th Bay Street** with a pier, boat house, lift and accessory piers and approving the terms and conditions of the License Agreement.

Documents:

[C-01 ENCROACHMENT AT 9510 14TH BAY ST.PDF](#)

C-2

Letter from the City Manager and an Ordinance entitled, An Ordinance permitting **Magazine Lane Properties, LLC** to encroach into the right-of-way at **733 Granby Street** with a sign.

Documents:

[C-02 ENCROACHMENT AT 733 GRANBY ST.PDF](#)

C-3

Letter from the City Manager and an Ordinance entitled, An Ordinance permitting **KMAC Properties, LLC** to encroach into the right-of-way of Midfield Street at **163 Fayton Avenue** with an existing shed.

Documents:

[C-03 EXISTING ENCROACHMENT AT 163 FAYTON AVE.PDF](#)

C-4

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a \$45,000.00 **Virginia Sexual and Domestic Violence Victims Fund Grant Award** from the Virginia Department of Criminal Justice Services for the support of personnel costs for a program paralegal to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking and family abuse for Fiscal Year 2019 and appropriating and authorizing the expenditure of the grant funds for payroll, medical benefit coverage and retirement expenses for the program employee.

Documents:

[C-04 45,000 FOR THE VIRGINIA SEXUAL AND DOMESTIC VIOLENCE VICTIMS FUND GRANT.PDF](#)

C-5

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting \$109,803.46 from the **Schools and Libraries Division of the Universal Service Fund E-Rate Reimbursement Program** and appropriating and authorizing the expenditure of \$109,803.46 for telecommunications and technology services for the **Norfolk Public Library**.

Documents:

[C-05 UNIVERSAL SERVICE FUND E-RATE REIMBURSEMENT PROGRAM AWARD 109,803.46.PDF](#)

C-6

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a \$1,100,500.00 Grant Award from the **Federal Emergency Management Agency** to provide funds to elevate seven (7) flood-prone private properties and appropriating and authorizing expenditure of the grant funds for the elevation projects.

Documents:

[C-06 ORDINANCE TO ACCEPT FEMA HAZARD MITIGATION ASSISTANCE GRANT FUNDS.PDF](#)

C-7

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a \$870,030.00 Grant Award from the **Federal Emergency Management Agency** to provide funds to acquire and demolish four (4) flood-prone private properties and appropriating and authorizing expenditure of the grant funds for the projects.

Documents:

[C-07 ORDINANCE TO ACCEPT FEMA HAZARD MITIGATION ASSISTANCE GRANT FUNDS.PDF](#)

C-8

Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the City Treasurer to issue refunds to **Computerized Imaging Reference Systems, Inc.** in the amount of **\$4,503.89, plus interest** based upon the overpayment of its business personal property tax for tax year 2018.

Documents:

[C-08 TAX OVERPAYMENT - COMPUTERIZED IMAGING REFERENCE SYSTEMS.PDF](#)

## Regular Agenda

R-1

Letter from the City Manager and a Resolution entitled, "A Resolution to establish a reserve fund for the repair or replacement of PVC pipe manufactured by **J-M Manufacturing Company**," will be introduced in writing and read by its title.

Documents:

[R-1 09.25.18.PDF](#)

R-2

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving an Amendment to Agreement among the **City of Norfolk, Old Dominion University, and the School Board of the City of Norfolk** and authorizing the City Manager to execute the Amendment to Agreement on behalf of the City of Norfolk," will be introduced in writing and read by its title.

Documents:

[R-02 AMENDMENT TO AGREEMENT FOR POWHATAN STADIUM.PDF](#)

R-3

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a Right of Entry Agreement permitting **Tidewater Communications, LLC** to go upon and use the property located at **1000 E. Indian River Road** for the purpose of accessing and maintaining their Transmission Facilities," will be introduced in writing and read by its title.

Documents: