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## CITY COUNCIL

### AGENDA

Tuesday, October 11, 2022

*5:00 CITY COUNCIL WORK SESSION*

- I. **AGENDA OVERVIEW** *Dr. Larry H. Filer II, City Manager*
- II. **MIGHTY DREAM FORUM EVENT BRIEFING** *Robby Wells, Executive Producer of Mighty Dream  
Eve Cohen, Production Director  
Hunters Point Agency*
- III. **CITY PLANNING UPDATE** *Paula Shea, Assistant Director of Planning*
- IV. **HISTORIC HOMES BRIEFING** *Catheryn Whitesell, Deputy City Manager*
- V. **CLOSED SESSION:**
- **PERSONNEL MATTER**
  - **LEGAL MATTER**

Supporting Documents:

- [Announcement of Meeting](#)
- [City Planning Update](#)
- [BUILD Transportation Grant](#)
- [Minutes from City Council Meeting of September 27](#)
- [Pending Land Use Report](#)



## NORFOLK, VIRGINIA

### DOCKET FOR THE COUNCIL

**TUESDAY, OCTOBER 11, 2022 – 7:00 P.M.**

#### **MOMENT OF SILENCE**

Followed by the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Approve the minutes of the previous City Council meeting.

#### **PUBLIC HEARINGS**

##### **PH-1**

**PUBLIC HEARING** scheduled this day, pursuant to State Law to revoke a Special Exception Permit Previously Granted to California Burrito on June 13, 2017, by Ordinance No. 46,858, Authorizing the Operation of an Entertainment Establishment with Alcoholic Beverages on Property Located at **319 Granby Street, Suite 319**.

An Ordinance Revoking a Special Exception Permit Previously Granted to California Burrito on June 13, 2017, by Ordinance No. 46,858, authorizing the Operation of an Entertainment Establishment with Alcoholic Beverages at **319 Granby Street, Suite 319**.

##### **PH-2**

**PUBLIC HEARING** scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Lease Agreement with the YWCA South Hampton Roads for the lease of space within the Park Place Multi-Purpose Center located at **606 W. 29th Street**.

An Ordinance Approving a Lease Agreement with YWCA South Hampton Roads for the Lease of Space Within the Park Place Multi-Purpose Center Located at **606 W. 29th Street**.

[PH-3](#) **PUBLIC HEARING** scheduled this day, pursuant to State Law, to hear comment on an Ordinance Approving a Lease Agreement with the **Generic Theater of Virginia, Inc.** for the Lease of Little Hall Located within Chrysler Hall.

An Ordinance Approving a Lease Agreement with the **Generic Theater of Virginia, Inc.** for the Lease of Little Hall Located Within Chrysler Hall.

### **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](#) An Ordinance to Amend a Special Exception so as to Approve a Change of Managers for a Restaurant Operating after Midnight with Live Entertainment Named “Hell’s Kitchen” on Property Located at **124 Granby Street**.

[C-2](#) An Ordinance Granting a Conditional Use Permit to Authorize the Expansion of a Nonconforming Use Named “TMI Truck and Equipment Company” on Property Located at **5640 and 5650 Raby Road**.

[C-3](#) An Ordinance Approving a Right of Entry Permitting Downtown Norfolk Council to Go Upon and Use Certain City-Owned Property Located at 134 W. Olney Road for the Neon Festival Event.

[C-4](#) An Ordinance Authorizing the City Manager to Enter into a **Non-Exclusive Revocable Right of Entry Agreement** with the United States of America Regarding Various Properties Owned by the City of Norfolk in Connection with a Project for the Extension of a Flood Wall.

[C-5](#) An Ordinance Authorizing the City Manager to Enter into an Easement with the United States of America Over Certain United States Navy Property for the Purpose of **Maintaining City-Owned Flagpoles and Banners Near Wards Corner** and Authorizing the City Manager to Pay the Associated Administrative and Easement Fees from Funds Heretofore Appropriated for Said Purpose.

- [C-6](#) An Ordinance to Amend Sections 23-12 and 23-13 of the *Code of the City of Norfolk, 1979*, as Amended, so as to Change the Title of the Head of the Slover Library from **Executive Director to Director**.
- [C-7](#) An Ordinance Permitting Monument Development Seventeen, LLC to Encroach into the Right-of-Way at **115 W. 25th Street** with Various Encroachments.
- [C-8](#) A Resolution to adopt the **Emergency Operations Plan** as revised.

### **REGULAR AGENDA**

- [R-1](#) An Ordinance to Amend Sections 4.2.3.F, 4.2.3.G and 8.3.2 and Tables 3.3.9 and 3.5.7 of the *Norfolk Zoning Ordinance* SO AS TO Define and Create Performance Standards for a New Use Labeled “**Cannabis Dispensing Facility**,” to be Permitted in Certain Commercial Districts by Conditional Use Permit Only, and for a New Use Labeled “**Cannabis Cultivation or Manufacturing Facility**,” to be Permitted in the I-G (Industrial-General) District by Conditional Use Permit Only.  
**(PASSED BY AT THE SEPTEMBER 27, 2022 COUNCIL MEETING)**
- [R-2](#) An Ordinance Authorizing the Sale of Certain Parcels of Real Property Located in the City of Norfolk, to Newport Manor, LLC, an Entity Owned and Controlled by the **Hanson Company, L.L.C.** for the Sum of \$163,000.00, and Approving the Purchase and Sale Agreement.  
**(PASSED BY AT THE SEPTEMBER 27, 2022 COUNCIL MEETING)**
- [R-3](#) An Ordinance Authorizing the Acquisition of the Property Located at **9550 13th Bay Street** for the Sum of \$220,000.00; Approving the Terms and Conditions of the Purchase and Sale Agreement; and Authorizing the Expenditure of a Sum of Up to \$230,000.00 from Funds Heretofore Appropriated for Acquisition of the Property and All Related Transactional Costs.
- [R-4](#) An Ordinance Amending and Reordaining Chapter 2 of the *Norfolk City Code, 1979*, to add one New Section Numbered 2-54.4 Authorizing Contracts with **Constitutional Officers to Bring Their Employees Under the City's Personnel System Other Than the Grievance Procedure**, Pursuant to Virginia Code Section 2.2-3008.

[R-5](#) An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$140,000.00 from Virginia Department of Behavioral Health and Developmental Services Substance Abuse Block Grant to Prevent Substance Use Disorders by Implementing Strategies Including Information **Dissemination, Education, Alternatives, Problem ID and Referral and Community Capacity Building and Environmental Approaches that Target Individuals, Communities and the Environment.**

[R-6](#) An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$35,000.00 from Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board to **Provide Problem Gambling Prevention Services.**

[R-7](#) An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$5,000.00 from Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board's **Assertive Community Treatment Team to Provide Mental Health Treatment Services.**

[R-8](#) An Ordinance Authorizing a Project Administration Agreement with the Virginia Department of Transportation ("VDOT") for **Phase 5 of the Addition of Curb Ramps for ADA Compliance** throughout the City; and Authorizing the Expenditure of an Amount up to \$894,256.00 for the Project.

[R-9](#) An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds Up to The Sum Of \$14,400,000 from The U.S. Department of Transportation Federal Highway Administration, and Previously-Appropriated Local Matching Funds in the Amount Of \$12,219,722.35 for **The Build Transportation Grants Program.**

[R-10](#) An Ordinance Authorizing that Certain Portions of City-Owned Property be Dedicated as a Part of the **Public Right-of-Way of Lincoln Street** and be Reserved for a Public Utility Easement Upon Conveyance.

**ADJOURNMENT**