



CITY COUNCIL

AGENDA

Tuesday, October 22, 2019

4:30 WORKSESSION - CITY HALL-10TH FLOOR CONFERENCE ROOM

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| I. AGENDA OVERVIEW | <i>Dr. Larry H. Filer II, City Manager</i> |
| II. ST. PAUL'S UPDATE | <i>Donovan Duncan, Executive Vice President, Urban Strategies, Inc.
Dr. Susan Perry, Director, Office of St. Paul's Transformation
Dr. Larry H. Filer II, City Manager</i> |
| III. DRAFT 2020 LEGISLATIVE PACKAGE | <i>Thelma Drake, Intergovernmental Relations Officer</i> |
| IV. NORFOLK'S FEDERAL AGENDA | <i>Christopher DeLacy, Partner, Holland & Knight</i> |
| V. RESILIENT LEGISLATIVE PRIORITIES | <i>Douglas Beaver, Chief Resilience Officer</i> |

DINNER AND CLOSED SESSION

- VI. CLOSED SESSION:**
- REAL ESTATE MATTER

Supporting Documents:

- Planning Commission Public Hearing Results from September 26
- 10-22-19 Memo - Zoning Text Amendment for smoke or vape shops
- Minutes from City Council Meeting of October 1
- Minutes from City Council Meeting of September 24
- Nonstandard Lot Certificate - 1305 Cass St
- Nonstandard Lot Certificate - 1329 W 27th St
- Pending Land Use Report from September 18
- Announcement of Meeting

NORFOLK, VIRGINIA

DOCKET FOR THE COUNCIL

TUESDAY, OCTOBER 22, 2019 – 7:00 P.M.

Prayer to be offered by Dr. Ervin M. Scott, Pastor, The New Rose of Sharon Elim Baptist 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 on the application of the **City Planning Commission**, for a *Zoning Ordinance Text Amendment* to modify performance standards for “**convenience store**” and to require a **Conditional Use Permit** in select zoning districts.

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 the application of the **City Planning Commission**, for a *Zoning Ordinance Text Amendment* to more clearly define the performance standards for “commercial recreation center” and to create and assign the appropriate permissions for an accessory use for “**amusements or gaming device**” and to adjust use tables to permit “**amusements or gaming device**” in select zoning districts

PH-3 **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 the application of the **City Planning Commission**, for a *Zoning Ordinance Text Amendment* to define, establish performance standards for, and assign the appropriate permissions for the principal use of “**Smoke or Vape establishment**”.

PH-4 **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 the application of the **City Planning Commission**, for a *General Plan Amendment* to adopt the **Inclusive Economic Development Strategy**.

- PH-5 **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 the application of **Doyle A. Palmer**, to vacate the right-of-way of an unnamed 10' lane on the east side of **Poppleton Street**, located south of **1118 Poppleton Street and north of 1124 Poppleton Street**.
- PH-6 **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 the application of **Bonaventure Investments, LLC**, to vacate the right-of-way of **Bath Street** on the south side of **Pretty Lake Avenue**.
- PH-7 **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 the conveyance to **C&R Property Investments LLC** of a certain parcel of property located at **800 Lexington Street**.
- 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 on the conveyance to **C&R Property Investments LLC** of a certain parcel of property located at **804 Lexington Street**.
- 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 on the conveyance to **Harvey Nash** of a certain parcel of property located at **812 Lexington Street** for the total sum of \$8,000.00 in accordance with the terms and conditions of the **Purchase and Sale Agreement**.
- PH-10 **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 the conveyance to **Alexander C. Edrington and Elizabeth M. Marshall** on property located at **E S Emory Place** and adjacent to **1348 Emory Place**.

PH-11 **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 authorizing the **Land Disposition and Development Contract (“LDDC”)** to be entered into with **Monument Development Eighteen, LLC**, and authorizing the conveyance of real property to **Monument Development Eighteen, LLC**.

PH-12 **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 creating the **Southside Network Authority** to serve the essential public purpose of increasing the availability of broadband internet service to the **Hampton Roads**

PH-13 **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 authorizing the pledge of the city-owned parking garage located at **110 W. Main Street** and the **Southside Library** located at **2350 Berkley Avenue** extended, to the **United States Department of Housing and Urban Development (“HUD”)**.

PH-14 **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 approving a **Purchase and Sale Agreement** between the **City of Norfolk, as Seller**, and **Asbury Avenue, LLC as Purchaser**, and authorizing the conveyance of real property consisting of 3.427 acres, located at **7661 Central Business Park Drive**.

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 the operation of a restaurant operating with extended hours named **‘Auntie’s Tikibar and Restaurant’** on property located at **4314 Colley Avenue**.

- C-2 Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** authorizing live entertainment at an establishment named **“Granby Station”** on properties located at **103 and 111 Granby Street.**
- C-3 Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a nightclub and a commercial recreation center named **“Pixels-Pints & Bytes”** on property located at **2117 Colonial Avenue.**
- C-4 Letter from the City Manager and an Ordinance entitled, An Ordinance permitting **Sentara Healthcare** to encroach into the right-of-way at multiple locations with signs.
- C-5 Letter from the City Manager and an Ordinance entitled, An Ordinance permitting **C&I Solutions II REO, LLC and Stony’s Dockside Bar & Grill** to encroach into the right-of-way at **8166 Shore Drive** with a sign.
- C-6 Letter from the City Manager and an Ordinance entitled, An Ordinance to repeal **Four Subsections of Section 25-653 and one Subsection of Section 25-654**; and to amend and reordain **Sections 25-647, 653 and 654** of the **Norfolk City Code, 1979, SO AS TO** add a required right turn, a new yield intersection and fourteen new stop intersections.
- C-7 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a grant award in the amount of \$100,000 from the **Petco Foundation** for the **Norfolk Animal Care Center** for Fiscal Years 2020-2021, appropriating the grant funds and authorizing the City Manager to employ one person in a special project status in the **Norfolk Animal Care Center** and authorizing the expenditure of the grant funds for the salary and benefits of the created position
- C-8 Letter from the City Manager and an Ordinance entitled, An Ordinance amending and reordaining **Section 2.1-47** of the **Norfolk City Code SO AS TO** redesignate the **Norfolk Community Services Board** as a **Policy Advisory Board.**

- C-9 Letter from the City Manager and an Ordinance entitled, An Ordinance approving a right of entry permitting the **Downtown Norfolk Development Corporation T/A Downtown Norfolk Council** to go upon and use certain city owned property located on the second floor of the **Selden Arcade**.
- C-10 Letter from the City Manager and an Ordinance entitled, An Ordinance approving a right of entry permitting **TWP - The Youth Movement** to go upon and use certain city owned property located at **801 Church Street**.
- C-11 Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the **City Treasurer** to issue a refund to **Riverpoint Psychiatric Associates Inc.** in the amount of **\$3,170.69, plus interest** based upon the overpayment of its business license tax for the tax year 2019.
- C-12 Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the **City Treasurer** to issue a refund to **Roof Services JGM Corporation** in the amount of **\$8,162.32, plus interest** based upon the overpayment of its business license tax for the tax year 2019.
- C-13 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a \$50,000.00 grant award from the **Commonwealth of Virginia Department of Criminal Justice Services** and appropriating and authorizing the expenditure of the funds for the **Byrne Justice Assistance Grant (JAG) Program Fiscal Year 2015 State Solicitations**.

REGULAR AGENDA

R-1 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an amendment to **Lease Agreement** between the **City of Norfolk** and **Subway Real Estate Corp.** for the premises located at **130 Bank Street, Unit 480,**” will be introduced in writing and read by its title.

R-2 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the re-dedication of certain city owned property as public right-of-way of **Lindsay Avenue,**” will be introduced in writing and read by its title.