



**CITY COUNCIL  
AGENDA  
TUESDAY, APRIL 9, 2019**

**Worksession Agenda**

4:00 PM City Hall - 10th Floor Conference Room

**Dinner & Closed Session**

4:00 - 5:00

**Closed Session**

- Appointments
- Personnel Matter

**5:00 Informal Meeting**

**Agenda Overview**

*Douglas L. Smith, City Manager*

**Heller And Heller Assessment - Recreation, Parks And Open Space**

*Barbara Heller, President, Heller and Heller Consulting, LLC*

*Cindy Curtis, Principal Consultant, Heller and Heller Consulting, LLC*

**Joint Land Use Study Update**

*Douglas Beaver, Military Affairs Liaison*

*Robert A. Crum, Executive Director,*

*Ben McFarlane, Senior Regional Planner, Whitney Katchmark, Principal Water Resources Planner,*

*Hampton Roads Planning District Commission*

**Budget Worksession 2**

*Gregory Patrick, Director of Budget and Strategic Planning*

**Hampton Roads Economic Development Alliance - Master Agreement**

*Jared M. Chalk, Interim Director of Development*

**Additional Documents**

Documents:

[4-9-19 CITY PLANNING COMMISSION PUBLIC HEARING RESULTS FROM MARCH 28 MEETING.PDF](#)

[4-9-19 FEBRUARY 2019 CITY COUNCIL RETREAT SUMMARY.PDF](#)

## Announcement Of Meeting

Documents:

[4-9-19 ANNOUNCEMENT OF MEETING.PDF](#)  
[4-10-19 ANNOUNCEMENT OF BUDGET HEARING GRANBY HS.PDF](#)

## Formal Session

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

### Prayer

Prayer to be offered by Councilman Paul R. Riddick, followed by the Pledge of Allegiance.

### Public Hearings

PH-1

**MATTER OF A 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 **JAMES FLANIGAN**, for a change of zoning from I-L (Industrial – Light) to MF-AC (Multi-Family – Apartment Complex) on property located at **1045, 1063, 1065, and SS 38th Street**.

**(CONTINUED AT THE MEETING OF MARCH 26, 2019)**

Documents:

[PH-1 JAMES FLANIGAN-CHANGE OF ZONING AT 1045-1065 38TH STREET.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 approving a Purchase and Sale Agreement between the **City of Norfolk, as Seller, and Beacon Norfolk, LLC, as Purchaser**, authorizing the conveyance of real property located at **400 Granby Street** in the City of Norfolk to Beacon Norfolk, LLC, and authorizing a Lease Agreement between Beacon Norfolk, LLC, as Landlord, and the City of Norfolk, as Tenant.

Documents:

[PH-2 PLACEHOLDER.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 a **Conditional Use Permit** to authorize the operation of a craft beverages production facility named "Benchtop Brewing Company" on property located at

**1129 Boissevain Avenue.**

Documents:

[C-1 BENCHTOP BREWING COMPANY- CONDITIONAL USE PERMIT.PDF](#)

C-2

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permits** to authorize the operation of a banquet hall operating after midnight with live entertainment named "Glass Light Hotel and Gallery" on property located at **201 Granby Street**.

Documents:

[C-2 GLASS LIGHT HOTEL AND GALLERY- CONDITIONAL USE PERMIT.PDF](#)

C-3

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize multi-family dwellings named "West 38th Street Apartments" on property located at **1045, 1063, and 1065 38th Street**.

Documents:

[C-3 JAMES FLANIGAN- CONDITIONAL USE PERMIT TO 1045-1065 38TH ST.PDF](#)

C-4

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the operation of a nightclub named "Jessy's Taco Bistro" on property located at **328 West 20th Street**.

Documents:

[C-4 JESSYS TACO BISTRO- CONDITIONAL USE PERMIT.PDF](#)

C-5

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a craft beverages production facility operating after midnight with live entertainment named "Smartmouth Brewing Company" on property located at **1309 Raleigh Avenue, Suite 200 and Suite 300**.

Documents:

[C-5 SMARTMOUTH BREWING COMPANY- CONDITIONAL USE PERMITS.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 with extended hours with live entertainment and sale of alcoholic beverages for off-premises consumption named "Stony's" on property located at **8166 Shore Drive**.

Documents:

[C-6 CONDITIONAL USE PERMIT AT 8166 SHORE DRIVE-STONYS.PDF](#)

C-7

Letter from the City Manager and an Ordinance entitled, An Ordinance permitting the **Retreat at Harbor Pointe, L.P.** to encroach into the right-of-way of Campostella Road with a wooden walkway, rip-rap slope protection and asphalt roadway.

Documents:

[C-7 ENCROACH INTO THE RIGHT OF WAY OF CAMPOSTELLA ROAD.PDF](#)

C-9

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting the conveyance of a **Stormwater Drainage Easement** by **IP DSC Norfolk 5301/2325, LLC** to the City of Norfolk and authorizing the City Manager to accept the Deed of Easement on behalf of the City.

Documents:

[C-9 ACCEPTANCE OF AN EASEMENT AT 2535 WALMER AVE.PDF](#)

## Regular Agenda

R-1

Matter of a letter from the City Manager and an Ordinance entitled, "An Ordinance accepting the bid submitted by **Old Dominion University Real Estate Foundation** for a lease with a term of ten (10) years, with the option to renew the lease for one (1) additional five (5) year period, for the premises located at **112 and 124 Bank Street** in the City of Norfolk; authorizing the City Manager to execute the lease on behalf of the City; and authorizing the expenditure of a sum of up to \$200,000.00 from funds heretofore appropriated for a tenant improvement allowance," will be introduced in writing and read by its title.

**(CONTINUED AT THE MEETING OF MARCH 26, 2019)**

Documents:

[R-1 ACCEPTANCE OF BID SUBMITTED BY OLD DOMINION UNIVERSITY REAL ESTATE FOUNDATION.PDF](#)

R-2

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a Right of Entry Agreement permitting Old Dominion Real Estate Foundation to go upon and use the property located at **112 and 124 Bank Street** for the purpose of initiating construction in preparation for leasing the space," will be introduced in writing and read by its title.

Documents:

[R-2 RIGHT OF ENTRY- 112 AND 124 BANK STREET.PDF](#)

R-3

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Conditional Use Permit** to authorize the operation of a Religious Institution and a Child Day Care Center at "Colonial Heights Church of Christ" on property located at **831 Mayfield Avenue and 833 Marvin Avenue,**" will be introduced in writing and read by its title.

Documents:

[R-3 COLONIAL HEIGHTS CHURCH OF CHRIST- CONDITIONAL USE PERMIT AT 831 MAYFIELD AVENUE AND 833 MARVIN AVENUE.PDF](#)

R-4

Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the City Manager to negotiate an agreement in substantial conformity with the terms and conditions of the attached Easement Purchase Agreement, for the purpose of construction and maintaining of a berm and drainage at **2623 Kimball Terrace,** in the City of Norfolk, for the **Ohio Creek Watershed Improvement Project,** authorizing the purchase of said easement, and authorizing the expenditure of a sum of up to \$10,300.00 for such purpose from funds heretofore appropriated," will be introduced in writing and read by its title.

Documents:

[R-4 PURCHASE AGREEMENT FOR A PERMANENT EASEMENT- 2623 KIMBALL TERRACE.PDF](#)

R-5

Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the City Manager to negotiate an agreement in substantial conformity with the terms and conditions of the attached Easement Purchase Agreement, for the purpose of drainage, construction and maintaining of a berm and drainage at **730 Filer Street,** in the City of Norfolk, for the **Ohio Creek Watershed Improvement Project,** authorizing the purchase of said easement, and authorizing the expenditure of a sum of up to \$12,844.00 for such purpose from funds heretofore appropriated," will be introduced in writing and read by its title

Documents:

[R-5 PURCHASE AGREEMENT FOR A PERMANENT EASEMENT AT 730 FILER STREET.PDF](#)

R-6

Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the Institution of the **Capital Access Program** designed to stimulate inclusive economic growth," will be introduced in writing and read by its title.

Documents:

[R-6 ORDINANCE AUTHORIZING THE INSTITUTION OF THE CAPITAL ACCESS PROGRAM.PDF](#)

R-7

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting the conveyance by **Norfolk Southern Railway Company** of unused rail tracks

existing in the right-of-way of **Raleigh Avenue West of Orapax Street,**” will be introduced in writing and read by its title.

Documents:

[R-7 PURCHASE OF NORFOLK SOUTHERN RAILROAD TRACKS ON RALEIGH AVENUE.PDF](#)

R-8

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the conversion of **General Obligation Bonds to Wastewater Revenue Bonds** and the issuance by the City of Norfolk, Virginia of such Wastewater System Revenue Bonds,” will be introduced in writing and read by its title.

Documents:

[R-8 AUTHORIZATION TO CONVERT GENERAL OBLIGATION BONDS TO WASTEWATER REVENUE BONDS.PDF](#)

R-9

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a First Amendment to Garage Parking Agreement between the City of Norfolk and SC Royster, LLC and authorizing the City Manager to execute the First Amendment to Garage Parking Agreement on behalf of the City of Norfolk,” will be introduced in writing and read by its title.

Documents:

[R-9 FIRST AMENDMENT TO GARAGE PARKING AGREEMENT BETWEEN THE CITY OF NORFOLK AND SC ROYSTER, LLC.PDF](#)

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating \$433,315.30 in Program Income generated by the **United States Housing and Urban Development (HUD) Home Investment Partnership Program (HOME) Grant** and authorizing the expenditure of the Program Income in conformity with the requirements of the Grant,” will be introduced in writing and read by its title.

Documents:

[R-10 HOUSING AND URBAN DEVELOPMENT APPROPRIATION HOME PROGRAM GRANT.PDF](#)

R-11

Letter from the City Manager and a Resolution entitled, “A Resolution requesting the **Virginia Department of Transportation** to accept certain additional City streets for Municipal Assistance Payments and to remove some streets from the eligible list pursuant to Section 33.1-41-1 of the *Code of Virginia, 1950 as amended,*” will be introduced in writing and read by its title.

Documents:

[R-11 VDOT URBAN MAINTENANCE INVENTORY.PDF](#)

R-12

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a **Third Amendment to Lease between the City of Norfolk, as Landlord, and the Muddy Paw Grooming and Retail Store, LLC**, as Tenant, SO AS TO reduce the rent due to the City during the remainder of the term and authorizing the City Manager to execute the Third Amendment to Lease on behalf of the City of Norfolk," will be introduced in writing and read by its title.

Documents:

[R-12 LEASE AMENDMENT FOR PROPERTY AT 400 GRANBY ST.PDF](#)