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## CITY COUNCIL

### AGENDA

Tuesday, September 13, 2022

*4:00 CITY COUNCIL WORK SESSION*

- I. **AGENDA OVERVIEW** *Dr. Larry H. Filer II, City Manager*
- II. **CLOSED SESSION:**
- **CONTRACT NEGOTIATION**
  - **REAL ESTATE MATTER**
  - **BOARDS & COMMISSIONS**
- III. **PROGRAM FOR IMPROVING CAPACITY AND CAPABILITY** *Denise Gallop, Director of Human Services*  
*Megan Erwin, Assistant Director, Housing and Community Development*
- IV. **OWNER-OCCUPIED REHABILITATION PROGRAMS** *Megan Erwin, Assistant Director, Housing and Community Development*
- V. **NEIGHBORHOOD DEVELOPMENT ENHANCEMENT** *Kimberley Pierce, Director of Neighborhood Development*
- VI. **PLANNING UPDATE** *Patrick Roberts, Deputy City Manager*  
*Paula Shea, Assistant Director of Planning*

**7:00 Joint Meeting with Norfolk Planning Commission – City Council Chamber**

Supporting Documents:

- Announcement of Meeting
- 9-13-2022 Minutes from City Council Meeting of August 23rd
- 9-13-2022 Pending Land Use Actions



## NORFOLK, VIRGINIA

### DOCKET FOR THE COUNCIL

TUESDAY, SEPTEMBER 13, 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 **JOINT PUBLIC HEARING WITH THE CITY PLANNING COMMISSION AND THE NORFOLK CITY COUNCIL** scheduled this day, pursuant to State Law, to hear comments to **Amend Sections 4.2.3.F, 4.3.3.E, and 8.3.2** of the *Norfolk Zoning Ordinance* SO AS TO modify definitions and performance standards for the uses of, Banquet Hall, Nightclub, and Restaurant and for the accessory use of Live Entertainment, and to revise definitions for the terms “Disc Jockey (DJ)” and “Entertainment”.

An Ordinance to **Amend Sections 4.2.3.F, 4.3.3.E, and 8.3.2** of the *Norfolk Zoning Ordinance* SO AS TO modify definitions and performance standards for the uses of Banquet Hall, Nightclub, and Restaurant and for the accessory use of Live Entertainment, and to revise definitions for the terms “Disc Jockey (DJ)” and “Entertainment”.

- PH-2 **PUBLIC HEARING** scheduled this day, pursuant to State Law, to hear comments on the revocation of a Conditional Use Permit previously granted on August 24, 2021, by Ordinance No. 48,461 Granting a Conditional Use Permit to authorize the Operation of a Nightclub Named “**Legacy**” on property located at **216 East Plume Street**, for failure to adhere to the conditions contained in the Permit.

An Ordinance Revoking a Conditional Use Permit Previously Granted to **Legacy** on August 24, 2021 by Ordinance No. 48,461, authorizing the Operation of a Nightclub on Property Located at **216 East Plume Street**.

- PH-3 **PUBLIC HEARING** scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Lease Agreement with Foodbank of Southeastern Virginia, Inc, for the Lease of City-owned property located at **961 Park Avenue**.

An Ordinance Approving a Lease Agreement with Foodbank of Southeastern Virginia, Inc. for the Lease of City-Owned Property Located at **961 Park Avenue**.

- PH-4 **PUBLIC HEARING** scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Lease Agreement with Old Dominion University for the Lease of the parking lot located at the intersection of **Hampton Boulevard and 50th Street**.

An Ordinance Approving a Lease Agreement with Old Dominion University for the Lease of the Parking Lot Located at the Intersection of **Hampton Boulevard and 50th Street**.

- PH-5 **PUBLIC HEARING** scheduled this day, pursuant to State Law, to hear comments concerning the Crown Castle Bid received for a non-exclusive franchise to use and occupy the City's streets and public rights-of-way for the purpose of constructing, installing, and maintaining wireless communications facilities and infrastructure.

An Ordinance Accepting the Bid Submitted by **Crown Castle Fiber LLC for A Long-Term Wireless Facilities Franchise Agreement**, With A Term of Five Years in The City's Right-of-Way.

### **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 Conditional Use Permits SO AS TO Approve a Change of Managers for a Banquet Hall Operating After Midnight with Live Entertainment Named "Glass Light Hotel and Gallery" on Property Located at **201 Granby Street**.

- C-2 An Ordinance to Amend a Zoning Approval SO AS TO Approve a Change of Managers for an Existing Restaurant, including the Sale of Alcoholic Beverage for Off-Premises Consumption, named “Brick Anchor Brew-House” on Property Located at **241 Granby Street**.
- C-3 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Veterinary Hospital or Clinic Named “Ghent Veterinary Hospital” on Property Located at **3415 Granby Street**.
- C-4 An Ordinance to Repeal one subsection of Section 25-653 and to Amend and Reordain Sections 25-654 and 25-656 of the *Norfolk City Code, 1979*, SO AS TO **Remove One Yield Intersection, Add Ten New Stop Intersections, and Add Two Streets Where Trucks Over One and a One-Half Tons are Prohibited**.
- C-5 An Ordinance Granting Tacos Y Tequila Ghent LLC Permission to Encroach into the Right-of-Way at **1421 Colley Avenue** for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement.
- C-6 An Ordinance Permitting 3755 VA Beach Blvd, LLC to Encroach into the Right-of-Way at **3755 E. Virginia Beach Boulevard** with a Concrete Sidewalk.
- C-7 An Ordinance Permitting East Beach Home Neighborhood Association to Encroach in the Right-of-Way of **East Beach Drive** at the Intersections of **23rd Bay Street and 24th Bay Street** with Vertical Parking Stops; **Nansemond Bay Street** at the Intersection of **East Bay Street** with Standard Parking Lines; and the **Alley North of Pleasant Avenue from 23rd to 27th Bay Streets** with Speed Bumps.
- C-8 An Ordinance Amending and Reordaining Section 16-5 Of the *Norfolk City Code, 1979*, Concerning the **Acceptance of Gifts and Donations to the City of Norfolk or its Subdivisions**.
- C-9 An Ordinance Approving a General Right of Entry Permitting **Chesapeake Bay Foundation** to Go Upon and Use City-Owned Property During Small Water Quality Improvement Projects.

**REGULAR AGENDA**

- R-1 An Ordinance placing an Honorary Street Sign entitled **Nancy Lieberman Pass at 43rd Street between Hampton Boulevard and Monarch Way.**
  
- R-2 An Ordinance to Schedule a **Council Retreat** on Friday, October 7, 2022, and Saturday, October 8, 2022, and to Move the Location from the Council Chambers of the City Hall Building to the Virginia Zoo.
  
- R-3 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Funds Received as A Result of Minimal Donations from Library Patrons and Citizens, If and When Received, Up to The Sum Of \$50,000.00 For **General Library Operational Expenses.**
  
- R-4 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Donated Funds Up to The Sum Of \$3,000.00 From Friends of The Norfolk Public Library for the **2022 Free Book/Summer Food Program.**
  
- 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 \$198,269.00 From the Federal, State and Local Fiscal Recovery Fund from Virginia Department of Behavioral Health and Developmental Services for **Norfolk Community Services Board to Implement The STEP-VA Care Coordination Services.**
  
- 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 \$54,750.00 From the Federal, State and Local Fiscal Recovery Fund from Virginia Department of Behavioral Health and Developmental Services for **Norfolk Community Services Board to Implement The STEP-VA Psychiatric Rehabilitation 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 \$79,462.00 From the Federal, State and Local Fiscal Recovery Fund from Virginia Department of Behavioral Health and Developmental Services for **Norfolk Community Services Board to Implement The STEP-VA Case Management Services.**
- R-8 An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds in Amounts Up To \$5,000.00 From Virginia Department of Behavioral Health and Development Services for **Norfolk Community Services Board to Provide Problem Gambling Prevention Services** if and when received.
- R-9 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 \$80,000.00 From Virginia Department of Behavioral Health and Developmental Services Virginia State General Fund IT Infrastructure Grant Top **Support Norfolk Community Services Board in its Efforts to Modernize Information Technology Infrastructure with Regard to Data and Business Analytics.**
- R-10 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 \$75,000.00 From Virginia Department of Behavioral Health and Developmental Services Through Health Planning Region V For **Norfolk Community Services Board's Initiative Assistance Program.**
- R-11 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 \$36,006.00 From Virginia Department of Behavioral Health and Developmental Services Through Health Planning Region V For **Norfolk Community Services Board to Provide Forensic Discharge Planning Services.**
- R-12 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 \$147,234.00 From Virginia Department of Behavioral Health and Developmental Services for **Norfolk Community Services Board Infant and Toddler Connection Program to Provide Early Intervention Services.**

- R-13 An Ordinance to Amend and Reordain Chapter 26 of the *Norfolk City Code, 1979*, regarding **Noise**.
- R-14 An Ordinance to Amend and Reordain Sections 24-233 Through 24-236 of the Code of the *City of Norfolk, Virginia, 1979*, SO AS TO Incorporate State Law Changes Providing for the **Collection of the Tax** on a Transient Obtaining Lodging that is Facilitated by a Lodging Intermediary.
- R-15 An Ordinance Approving a First Amendment to Lease Agreement by and Between the City of Norfolk, as Landlord, and Waterside Marina, LLC, as Tenant, for the **Lease of Waterside Marina** in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the First Amendment to Lease Agreement on Behalf of the City of Norfolk.
- R-16 An Ordinance Amending THE FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Funds Up to The Sum Of \$68,000.00 From the United States Capitol Police to Allow the Sheriff to Pay Certain Deputy Sheriffs as Independent Contractors for Providing **Security Support to a U.S. Congresswoman** Residing in The City of Norfolk.
- R-17 An Ordinance to Amend and Reordain Section 34.1-37 of the *Norfolk City Code, 1979*, SO AS TO allow **Taxicab Companies to add Owner-Operator Vehicles to Fleets**.
- R-18 An Ordinance Approving a **Stadium Lease Agreement** by and between the City of Norfolk and Tides Baseball Club, LP for the Lease of Certain Portions of that Certain Ballpark Stadium and Improvements Known as Harbor Park Located at **150 Park Avenue** in the City of Norfolk, Virginia, for the Operation of a Class AAA Baseball Team of the Professional Development League System, and Authorizing the City Manager to Execute the Stadium Lease Agreement on Behalf of the City of Norfolk.

**(Passed by at the August 23, 2022 Meeting)**

**ADJOURNMENT**