

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING

TUESDAY, FEBRUARY 28, 2023 – 6:00 P.M.

A CITIZEN WHO WISHES TO ADDRESS COUNCIL CONCERNING A DOCKET ITEM OR NEW BUSINESS MUST REGISTER TO SPEAK WITH THE CITY CLERK BY 3:00 PM THE DAY OF THE MEETING BY CALLING (757) 664-4253 OR EMAILING CCOUNCIL@NORFOLK.GOV.

MOMENT OF SILENCE

Followed by the Pledge of Allegiance.

ROLL CALL

Attendee Name	Title	Status	
Courtney R. Doyle	Councilmember - Ward 2	Present	
Mamie B. Johnson	Councilmember - Ward 3	Present	
Andria P. McClellan	Councilmember - Superward 6	Present	
John E. Paige	Councilmember - Ward 4	Present	
Danica J. Royster	Councilmember - Superward 7	Present	
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Present	
Martin A. Thomas Jr.	Vice Mayor – Ward 1	Present	
Kenneth Cooper Alexander	Mayor	Present	
Bernard Pishko	City Attorney	Present	
Dr. Larry H. Filer II	City Manager	Present	
Richard A. Bull	City Clerk	Present	

APPROVAL OF MINUTES

Approve the minutes of the previous City Council meeting.

ACTION: **Adopted [Unanimous]**
AYES: Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

CLOSED SESSION RESOLUTION

A Resolution certifying a closed meeting of the council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act.

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

PUBLIC HEARINGS

PH-1 Public Hearing scheduled this day, pursuant to State Law, on the application of THE CROSSING, for a change of zoning to HO – N&W (Norfolk & Western Historic Overlay at **115 W. 25th Street**.

An Ordinance to Rezone Property Located at 115 West 25th Street SO AS TO Include it in the HO-N&W (Norfolk & Western Historic Overlay) District. - **(Ordinance No. 49090)**

Chris Johnson, 1425 E. Carey Street, Richmond, was present to answer any questions relative to this matter.

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

PH-2 Public Hearing scheduled this day, pursuant to State Law, on the application of the CITY PLANNING COMMISSION, for a Zoning Text Amendment to the Norfolk Zoning Ordinance to amend the performance standards for the production of craft beverages.

An Ordinance to Amend Section 4.2.3.F(2) the Norfolk Zoning Ordinance SO AS TO Update Performance Standards for the Use Called "Production of Craft Beverages". - **(Ordinance No. 49091)**

ACTION: Adopted [Unanimous]
AYES: Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

PH-3

Public Hearing scheduled this day, pursuant to State Law, on the application of the CITY PLANNING COMMISSION, for Zoning Text Amendment to the Norfolk Zoning Ordinance to clarify the requirement for a Conditional Use Permit for the development of retail goods establishments of 50,000 square feet and larger.

An Ordinance to Amend Section 4.2.3.F(6) the Norfolk Zoning Ordinance SO AS TO Update Performance Standards for the Use Called "Retail Goods Establishment". - **(Ordinance No. 49092)**

ACTION: Adopted [Unanimous]
AYES: Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

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.

ACTION: Consent Agenda Adopted [Unanimous]
AYES: Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

C-1

An Ordinance Granting a Development Certificate, With Waivers, to Permit the Expansion of an Existing Office Building on Property Located at 160 West Brambleton Avenue. - **(Ordinance No. 49093)**

- C-2 An Ordinance Authorizing Right of Entry Agreements Permitting the City of Chesapeake to Enter Upon and Use City-Owned Properties Located at 425 Harrell Road and Near 4107 and 4137 Portsmouth Boulevard to Conduct Maintenance and/or Repair of Their Stormwater Management Facilities Located on the Properties. - **(Ordinance No. 49094)**

- C-3 Letter from the 2023 NATO Festival Committee requesting use of the Mace and Police Honor Guard for the 70th Anniversary of the Norfolk NATO Festival Flag Raising Ceremony on April 20, 2023, at 5:00 p.m. and for the Parade of Nations on April 22, 2023, at 10:00 a.m.

- C-4 An Ordinance Approving a Right of Entry Permitting Virginia Arts Festival, Inc. to Go Upon and Use City-Owned Property Located at 451 Bank Street and Known as "The Green Space". - **(Ordinance No. 49095)**

REGULAR AGENDA

- R-1 An Ordinance Accepting the Bid Submitted by Shenandoah Cable Television LLC *dba* Shentel For A Long Term Telecommunications Franchise Agreement, With A Term of Five Years In The City's Rights-Of-Way. - **(Ordinance No. 49096)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

- R-2 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 1624 Garfield Drive.

The applicant, Christopher Wheelus, 7945 Merritt Street, spoke in support of this matter.

Dezmon Robertson, 1812 Riverwalk Arch, Virginia Beach, spoke in support of this matter.

Joan Earnest, 1622 Garfield Drive, spoke in opposition to this matter.

Aradia Robertson, 9620 20th Bay Street, spoke in opposition to this matter.

ACTION:	Motion Lost [0 to 8]
NAYS:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

R-3

An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9622 20th Bay Street. - **(Ordinance No. 49097)**

The applicant, Adrienne Broom, 9622 20th Bay Street, spoke in support of this matter.

Matthew Moynihan, attorney for the applicant, 283 Constitution Drive, spoke in support of this matter.

Mark Parson, 2713 Glenan Drive, Richmond, spoke in support of this matter.

Nicole Pace, 1600 Granby Street, spoke in support of this matter.

Ellen Cava, 9601 7th Bay Street, spoke in opposition to this matter.

Aradia Robinson, 9620 20th Bay Street, spoke in opposition to this matter.

Martin Robertson, 9620 20th Bay Street, spoke in opposition to this matter.

ACTION:	Adopted [6 to 2]
AYES:	Johnson, McClellan, Paige, Royster, Smigiel Jr., Alexander
NAYS:	Doyle, and Thomas Jr.

R-4 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 \$13,200 From The Norfolk Community Trust To Support The Norfolk Community Services Board's ("NCSB") Food Pantry That Provides Direct Benefit To NCSB Clients. - **(Ordinance No. 49098)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

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 \$200,000 from the Department of Housing and Community Development for the Virginia Eviction Reduction Pilot (VERP 3.0) to Provide Eviction Prevention Services for Households at Imminent Risk of Eviction. - **(Ordinance No. 49099)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

R-6 An Ordinance Approving a Third Amendment to Agreement by and Between the City of Norfolk and Work Program Architects, Inc. for Urban Design and Planning Services, and Authorizing the City Manager to Enter into the Third Amendment to Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 49100)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

R-7

An Ordinance Granting Conditional Use Permits to Authorize the Sale of Alcoholic Beverages for On-Premises Consumption at a Restaurant Named “Birds and Bourbon” on Property Located at 116 Granby Street. - **(Ordinance No. 49101)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

NEW BUSINESS

Monet Johnson, 3505 Argonne Avenue, spoke regarding community safety.

Javon Bennett, 1342 Reservoir Avenue, spoke regarding redevelopment in Norfolk.

Carl Poole, 1049 W. 49th Street, spoke regarding establishing standards for new housing developers.

Jennifer Gruber, Pembroke Avenue, spoke regarding catalytic converter theft prevention.

Tiara Lassiter, 3045 Sewells Point Road, spoke regarding limited Section 8 availability in new housing communities.

Elise Peterson-McMath, 1300 Diamond Springs Road, spoke regarding fair zoning and the housing crisis.

ADJOURNMENT