

NORFOLK, VIRGINIA

MEETING OF COUNCIL

TUESDAY, APRIL 2, 2019

Mayor Alexander called the meeting to order at 4:00 p.m. with the following members present: Mrs. Courtney R. Doyle, Mrs. Angelia Williams Graves, Mrs. Mamie B. Johnson, Mrs. Andria P. McClellan, Mr. Paul R. Riddick Mr. Tommy Smigiel and Mr. Martin A. Thomas Jr.

He then called on the City Manager to proceed with the agenda.

A. ASSEMBLY

Wynter C. Benda, Chief Deputy City Manager, introduced the proposed project. He gave a brief history of the Granby Municipal Building. It was built in 1920 and was originally three separate buildings. It was formerly retail stores: Ames & Brownley, Sears & Roebuck and Smith & Welton. It was converted to municipal office space in 1993. Currently the building houses various city offices: Norfolk Cares Center, Recreation Parks and Open Space, IT/Computer Data, Utilities, Building Safety, Neighborhood Development and the Customer Service Center. The one retail tenant is Muddy Paws.

The building will be sold to Beacon, LLC. There will be a two-phase renovation of office space for Grow, WPA, Sway, Flagship Visuals, Co., a rooftop deck and penthouse, event space, and atrium. The estimated investment into the building totals approximately \$30 million.

Drew Ungvarsky, CEO & Chief Creative Officer, Grow, gave a brief history of Grow. He noted they have been in downtown Norfolk for nine years. They are a creative innovation agency and their clients include Google and adidas. They started out in one location on Granby Street and expanded into a second building, and they have now grown to 50 employees.

Assembly Concept:

- Designed to connect. Assembly brings together leading creative and technology companies in one iconic building campus. It's purposefully designed for shared energy, inspiration, and resources to make each company stronger and to build a collective community with even greater impact.

Mr. Ungvarsky presented detailed drawings of the plans for Assembly and two short videos.

Impact to the city

- Deferred building maintenance savings of \$9.2 million
- Strategy for relocating city departments impacted by sale:
 - IT and data center - Lease space in GMB Phase 2
 - Utilities - Lease space in GMB Phase 2
 - Neighborhood Development - BB&T
 - RPOS - Boush St. (city-owned)
 - Planning (Building Safety) - Main St. (city-owned)

Sale Agreement

- Total purchase price: \$3.7 million
 - \$1.85 million paid at closing
 - \$1.85 million paid in year three after closing
- City to lease space for Utilities and IT Data Center
 - Approximate annual cost: \$218,000

B. CLIMATE CHANGE COMMISSION RECOMMENDATIONS

Presenters: Councilwoman Andria McClellan

Theresa W. Whibley, M.D.

Morgan Whayland, Intergovernmental Relations Officer

Councilwoman McClellan stated the Climate Change Commission was established as a part of the Mayor's Advisory Commission on Climate Change Mitigation and Adaptation. The overview of the Climate Change Commission is to identify measurable, achievable goals for cutting Norfolk's carbon emissions; to mitigate and adapt to

climate change; and to position the City of Norfolk as a vibrant, resilient, healthy, and economically flourishing city.

Cities account for more than 70 percent of global CO2 emissions and cities consume more than 68 percent of the world's energy. Globally there are over 9,000 cities and municipalities that have signed on to the Global Covenant, representing over 750 million people.

Dr. Whibley thanked staff and Commission Members. She also acknowledged two Maury High School students and stated that the youth of our country are an important partnership in this work. The Commission has representatives from many diverse agencies, i.e., Hampton Roads Transit, Chesapeake Climate Action Network, TFC Recycling, Norfolk International Airport, Virginia Port Authority, NAACP, Chesapeake Bay Foundation, Norfolk Public Schools, Elizabeth River Project, Virginia Natural Gas, Sierra Club, Norfolk Redevelopment and Housing Authority, Old Dominion University, Dominion Energy, et cetera.

Ms. Whayland discussed the process and goals of the Commission. The Commission did not want to replicate work that was already happening. The Climate Action Plan does not focus on flooding or green infrastructure due to prior adopted plans and strategies. The Commission realized that great work is happening, but there is an opportunity to be more purposeful and talk about how these actions result in improving the environment and reducing our carbon footprint.

Ms. Whayland highlighted what the city is already doing to support the plan:

- Norfolk Zoo. They are no longer using straws, and they are trying to be more environmentally friendly within their catering.
- Norfolk Botanical Garden. Many amazing programs and initiatives are in place and they are working on educating the community about composting. They already have solar panels on some of their facilities.
- The City is installing electric vehicle charging stations in many of our garages, and installing LED lights at Harbor Park.
- We have LEED green buildings in the city such as the Grandy Village Learning Center.

Ms. Whayland reported on Goals, Criteria and Secondary Benefits of the Climate Action Plan:

Criteria:

- Renewable energy production - how do we increase the use of renewable energy
- Buildings and energy use/efficiency - how do we increase building and operation energy efficiency and reduce energy consumption
- Consumption and waste - how do we first reduce, then reuse, and then recycle
- Food and agriculture - how do we create, enhance and promote a sustainable food system engagement, outreach, and education.
- Transportation - reduce carbon emissions, people living closer to where they work and/or encouraging working from home

Criteria/Secondary Benefits

- Timeline - are there some things that can be done immediately
- The impact on Greenhouse gases
- Opportunities for dual benefit
- Health - improving the environment for all neighborhoods
- Cost saving opportunities for communities
- Job creation opportunities

City Government Recommendations:

Leading by Example

- View city actions through a climate change lens
- Restore full-time position and reestablish Green Team
- Conduct energy audits and add solar on public buildings
- Implement C-PACE (Commercial Property Assessed Clean Energy) - financing program for specific energy/climate improvements
- Require City financed Projects (Capital Projects and Development Agreements) to meet enhanced green or energy efficiency standards

Community and Business Recommendations:

- Continue advocacy to reduce single - use plastics in Norfolk
- Promote Green Jobs - Workforce Development Opportunities
- Establish Sustainable Business Coalition
- Live where you work and work where you live
- Use of renewable energy - residential, commercial, institutional

- Encourage youth participation

Next Steps-Leading by Example and Outreach:

- Finalize Climate Action Plan and Endorse a Resolution
- Support Funding for position included in City Manager's Proposed Budget
- Track implementation and partner with Norfolk Environmental Commission
- End use of single-use plastics and Educate and Enforce Recycling in City Buildings
- Review and Enforce Current Policies and Establish new policies (e.g. idling policies, turning off equipment, no city funding for plastic bottles)
- Central repository of information and progress on City Website
 - e.g. Open Data-Energy Use by building/department

Councilman Smigiel-

- Suggested Council reconsider the mission of the Norfolk Environmental Commission and to look at the makeup of its membership. Additionally, he suggested having more student representatives.
- Suggested we start acting on the C-PACE Program ASAP.
- Noted that many localities and cities across the country are installing solar panels on schools and municipal buildings and suggested Norfolk start similar initiatives.

Councilwoman Graves-

- Asked if are there opportunities for residential energy audits, and, if so, to provide that information to our citizens.
- Noted she is in favor of requiring building projects, where possible, to add energy-efficient details in design plans.

Councilwoman Johnson-

- Commented on the success of the Community Gardens Project in Broad Creek and that sustainability is an important factor.

- Invited Council to the Youth Resiliency Expo on Saturday, April 6th, at Nauticus from 10 a.m. to 1 p.m.

Councilwoman Doyle-

- Recommended receiving quarterly updates about the projects from the Climate Change Commission.

Councilwoman McClellan-

- Asked that Climate Change Commission recommendations be made a part of the strategic planning process in addition to our mitigation efforts on flooding and resilience.

George Homewood, Director of Planning, gave a brief update on Planning information and asked Council to provide feedback on how information is provided. The agendas for City Planning Commission, Architectural Review Board, Board of Zoning Appeals and Wetlands Board are posted online within 48 hours of the filing deadline. Pending Land Use Reports and approved site plans are presented to Council in their packets (dropbox) and posted online.

Mr. Homewood stated that a new online management system could affect online posting, but presently, changes in agendas and other information is posted online for citizens who signed up for email notifications. The City Manager sends Council a weekly update that includes a pending list of City Planning Commission items that are coming to Council on a future draft agenda. Generally, those are things that may be a little further along in the process than what is provided on the Pending Land Use Report.

The Planning Department supports four different Boards and Commissions, as well as providing support to the City Council. The Boards and Commissions are: City Planning Commission, Architectural Review Board, Wetlands Board, and Board of Zoning Appeals. Conditional Use Permits come to City Council 58 days from the original filing.

Councilman Smigiel expressed concerns about complaints from developers and builders about the administrative process. They feel frustrated by conflicting information which causes lengthy delays for their projects. Mr. Homewood explained the legislative and Site Plan Review processes. He added that sometimes delays happen with

Site Plan Review. He noted that Planning is the only department with staff dedicated to running the Site Plan Review process.

Councilman Smigiel suggested doing case studies of the processes where they have received complaints. He cited two projects: Rally's on Little Creek Road and the project by the old Surfrider Restaurant in Ocean View.

Councilwoman Doyle asked if Planning had done an audit to see how long applications remain in the queue and why. Mr. Homewood noted that projects that move through the queue quickly are projects that come to City Council and there are deadlines to be met. The other projects are the ones that go through the Site Plan Review process, and they are currently doing that audit. He added what they have found in previous audits is that the greatest amount of time in the process is after a city review and a project is back in the hands of the architect, engineer, landowner and developer to make changes and resubmit, not on the city side. Councilwoman Doyle stated that the audit should reflect that. In addition, Councilwoman Graves suggested an independent audit be conducted outside of the Planning Department.

Councilwoman McClellan asked if information regarding short-term rentals can be posted on the website informing citizens who to contact until the web-based system is in place.

Discussion Items:

- Annette Stone CUPs
- Cogan's parking rezoning
- James Flanigan new multifamily rezoning/CUP/street closure

- EDC townhomes rezoning
- Reaver Beach Brewing CUP
- Bold Mariner Brewing CUP
- Merrimac Market CUP
- East Beach Living Cup
- Bluestone Avenue realignment
- Coca Cola/Monument Street closures
- Retreat at Harbor Pointe land disturbance permit
- Wetlands Board Policy Manual Update

- Wetlands Board Water Quality Component

Highlighted Items and Activities:

- Colonial Place/Riverview NRO - February 4/March 4
- Riverforrest Shores/Wayside Manor/Easton Place Board Discussion of TOD - March 4
- Greenies Site Community Discussion - March 11
- Commercial Pattern Book Industry Discussion - march (date TBD)
- Program for Public Information (PPI) regarding Flooding Outreach - March/April presentation to City Council

Downtown - St. Paul's District:

- Zoning Text Amendment to create a new zoning district, D-SP (Downtown - Saint Paul's) district
 - To enable development in accordance with the Saint Paul's Area Transformation Plan
- A rezoning application will be needed to apply this new district to any particular property in the St. Paul's area
- The Downtown - Saint Paul's District will be similar to the existing Downtown - Mixed Use District
- Designed to encourage higher density, mixed use to the west of a realigned Church Street and more residential focus to the east
- Specific regulations cover:
 - Use of ground floor
 - Fenestration (transparency)
 - Build-to line
 - Building height
 - Parking (none required)
 - Development Certificate (ARB required)
- City Planning Commission recommended approval at January 24 Public Hearing
- Scheduled for City Council February 26 Public Hearing

Councilman Riddick asked to ensure that minorities and other small business owners be encouraged and allowed to be a part of the St. Paul's quadrant projects.

C. COLONIAL HEIGHTS CHURCH OF CHRIST, 813 MAYFIELD AVENUE

Jeremy Sharp, Acting Zoning Administrator

Mr. Sharp reported there are two requests for a Conditional Use Permit; one for a religious institution and one for a child daycare. Staff had supported the application throughout the process and the Planning Commission recommended approval by a vote of 6-0. The Crossroads Civic League approved the request.

The Zoning is single-family and religious institutions are allowed by Conditional Use Permit. This church predates the regulation so they never got a Conditional Use Permit. In addition, now they are asking to add a daycare. Under the new Zoning Ordinance, a set of performance standards are required, as for any use in the city, and they are not waivable.

The Zoning Ordinance requires the applicant to have an outdoor play area, screened from residential by a six-foot solid fence. Staff also recommends the addition of a three-foot planting strip along Marvin Avenue to screen the parking lot. The applicant does not want to adhere to these conditions. The item will be on Council's April 9th agenda.

Councilwoman Johnson strongly advised the city follow the Guidelines as set by the State. She added that the Department of Social Services handles all applications for daycare providers.

Councilman Smigiel stated not all daycare providers are bound by the Department of Social Services. It depends on where they receive funding from. He noted there is a shortage of affordable daycare providers in the city, and asked that we go back and look at the city's requirements, versus the state's requirements to make sure we are not hurting the opportunity for churches to become daycare providers. He also asked if it's possible to give the applicants an extended timeframe to install the required landscaping.

Councilwoman Graves stated that daycare is a business and they should adhere to all required Guidelines and safety standards.

D. BUDGET WORKSESSION 1

Gregory Patrick, Budget Director, gave a brief overview of the budget process and highlighted some of the Capital Improvement Plan projects for fiscal year 2020.

Budget Calendar

Four Work Sessions

- April 2nd - Process and Capital Improvement Plan (CIP) overview
- April 9th - Operating overview
- April 23rd - Council discussion
- May 7th - Final reconciliation

Two Public Hearings

- April 10th 6:00 p.m. Granby High School - Operating, CIP, HUD Annual Plan
- May 7th 6:00 p.m. - Real Estate Reassessment (required based on assessment growth)

Budget Adoption

- May 14th Council Chamber 7:00 p.m.

The first two work sessions are short overview presentations. The third work session will be for Council concerns and discussion. The fourth work session will be for reconciliation. The Council inquiry process will be similar to last year's process. The Budget Office will provide comprehensive responses to Council's questions. Likewise, questions about the Budget through one-on-ones with the City Manager or with Deputy City Managers, the Budget Office will work to provide comprehensive responses. They will create a running list of questions and responses that they post on the city web site and send out weekly with the City Manager's update. All Budget materials associated with this year's budget can be found at www.norfolk.gov/budgettoolkit.

Mr. Patrick next reported on some of the engagement events. Residents engaged in the Budget process through a March Madness style bracket. They have used a combination of both online and in-person tools to get residents engaged this year. They visited 11 civic leagues and engaged more than 250 residents in person. They have had more than 1,400 Balancing Act page views. More than 800 residents competed the Budget Bracket.

CIP Category Overview

FY 2020-FY 2024: \$647 million

\$415 million - Infrastructure

- Renovate Chrysler Hall and Scope Plaza
- Acquire Equipment and Technology
- Maintain Municipal Facilities
- Replace Fire Station 11
- Maintain Parking Facilities
- Improve Wastewater Collection System
- Upgrade Water Treatment Plants
- Improve Water Resources and Delivery System

\$20 million - Education

- \$5 million over five years to acquire school buses
 - Ten school buses annually
- \$15 million for major school maintenance
 - NPS programs the funds

\$62 million - Neighborhoods

- \$25 million - Improve street infrastructure citywide
- \$4.5 million - Enhance signals and intersections
- \$3.8 million - Implement Complete Streets initiatives
- \$7.5 million - Improve neighborhoods citywide

\$68 million - Resilience

- \$18 million - Raise the Downtown floodwall
- \$12 million Improve storm water quality
- \$21 million Address street flooding citywide and reduce neighborhood flooding
- \$5 million - Control beach erosion
- \$3 million - Improve storm water system
- \$3 million - Improve storm water waterfront facilities
- \$7 million - Create citywide flooding reserve

\$83 million - St. Paul's Area Transformation

- \$15 million - St. Paul's revitalization
- \$10 million - Road infrastructure

- \$18 million - Storm water infrastructure
- \$10 million - Wastewater infrastructure
- \$10 million - Water infrastructure
- \$20 million - New utilities headquarters

Mr. Patrick previewed the new online, interactive CIP Projects map.

Councilwoman McClellan asked for a detailed report from Norfolk Public Schools on where funding has been spent, going back five years.

Councilwoman Graves suggested the interactive CIP Projects map be posted in more than one location on the city's web site to make it easy for citizens to access.

Councilwoman McClellan asked if data regarding CIP projects, such as funding and monies spent, timelines, and a completion date can be put online as well. Councilwoman Johnson echoed Councilwoman McClellan's request.

E. COUNCIL PRIORITIES

In addition to the road resurfacing on Tidewater Drive, Councilman Riddick noted the street basins also need repairing from Lafayette Boulevard to Lindenwood Avenue. He noted runoff is unable to flow correctly. Councilwoman Johnson echoed Councilman Riddick, noting that those basins are cracked in many places.

Councilman Smigiel suggested more funding might be needed in the budget for road resurfacing.

Councilwoman Graves commented that \$100,000 is allocated for improvements to the Huntersville Multi-Service Center; however, it might be more appropriate to build a new facility. She asked that appropriate staff examine what the cost would be to build new facility.

F. CLOSED SESSION

Motion for closed session was approved for purposes which are set out in **Clauses 1, 3 and 7** of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act, as amended:

- (1) Discussion of a personal matter and appointees to boards, commissions and a committee.
- (3) Discussion of the disposition of property in the downtown area.
- (7) Consultation with legal counsel pertaining to probable litigation.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas and Alexander.

No: None.