

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, JUNE 23, 2020 – 6:00 P.M.

ANNOUNCEMENT

This meeting will be held as an electronic meeting due to the emergency and disaster represented by the spread of COVID-19, pursuant to and in compliance with Norfolk City Ordinance 47,967. This meeting will be conducted by the following electronic communication means: telephonically and electronically through WebEx. The public may participate by providing their comments in email to the Clerk’s Office in advance of the hearing or by WebEx phone or video.

MOMENT OF SILENCE

Followed by the Pledge the Allegiance.

Attendee Name	Title	Status	
Courtney R. Doyle	Councilmember - Ward 2	Remote/Electronically	
Angelia W. Graves	Councilmember - Superward 7	Remote/Electronically	
Mamie B. Johnson	Councilmember - Ward 3	Remote/Electronically	
Andria P. McClellan	Councilmember - Superward 6	Remote/Electronically	
Paul R. Riddick	Councilmember - Ward 4	Present	
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Remote/Electronically	
Martin A. Thomas Jr.	Vice Mayor	Remote/Electronically	
Kenneth Cooper Alexander	Mayor	Present	

APPROVAL OF MINUTES

Approve the minutes of the previous City Council meeting.

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

PROCLAMATION READ BY MAYOR ALEXANDER

WHEREAS, annually, June is designated as Pride Month, and communities around the United States come together to commemorate the New York City Stonewall uprisings of 1969, a major catalyst of the lesbian, gay, bisexual and transgender (LGBTQ) rights movement; and

WHEREAS, since its inception, Hampton Roads Pride has celebrated unity, embraced diversity and instilled pride in the region's LGBTQ and allied communities by increasing visibility and promoting full human and civil rights of LGBTQ people; and

WHEREAS, with the support of many local businesses and organizations, Hampton Roads Pride encourages year-round education, celebration and networking opportunities for the LGBT community while organizing events the entire region can enjoy; and


WHEREAS, although this year's historic and highly anticipated PrideFest annual event has been overshadowed by a global pandemic, the City of Norfolk remains committed to protecting the civil rights of the LGBTQ community and eradicating prejudice and discrimination in our communities.

NOW, THEREFORE, I, Kenneth Cooper Alexander, Mayor of the City of Norfolk, do hereby proclaim June 2020 as

PRIDE MONTH

in the City of Norfolk and urge all citizens to join me in recognizing Hampton Roads Pride for its diligent work in increasing awareness of the Hampton Roads LGBTQ community and for supporting local, national and global efforts to ensure diversity and equality for everyone everywhere.

Given under my hand this 3rd day of June 2020.



Kenneth Cooper Alexander, MAYOR

PUBLIC HEARINGS

PH-1 PUBLIC HEARING scheduled this day pursuant to State Law on the application of the **CITY PLANNING COMMISSION**, for a text amendment to the Norfolk Zoning Ordinance to more clearly address parking and vehicle storage paving requirements.

Lisa Murphy, 440 Monticello Avenue, Suite 2200, spoke in favor of this matter.

An Ordinance to Amend Sections 4.2.3, 5.1, and 8.3.2 of the Norfolk Zoning Ordinance to add New Definitions and to Clarify Development Standards for Improved Surfaces for Vehicle and Bicycle Parking and Loading Areas. - **(Ordinance No. 48033)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, 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 text amendment to the Norfolk Zoning Ordinance to modify minimum parking requirements for commercial recreation centers.

An Ordinance to Amend Sections 4.3.3 and 8.3.2 and Table 5.1.7(D) of the Norfolk Zoning Ordinance to Modify the Minimum Parking Requirements for Commercial Recreation Centers. - **(Ordinance No. 48034)**

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

PH-3 **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application of the **CITY OF NORFOLK**, to vacate the right-of-way of 4th Bay Street, south of East Ocean View Avenue and north of Pretty Lake Avenue.

An Ordinance to vacate the right-of-way of **4th Bay Street, south of East Ocean View Avenue and north of Pretty Lake Avenue. - (Ordinance No. 48035)**

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

PH-4 **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application of the **CITY OF NORFOLK**, for the following amendments to the Future Land Use Map within the City's General Plan, *plaNorfolk2030*:

An Ordinance to Amend the City's General Plan, PlaNorfolk2030, so as to Change the Land Use Designation from Industrial and Utility/Transportation to Residential Mixed for Properties Located at 1200 Goff Street, 1351 and 1371 Hanson Avenue, 1401 and 1445 Maltby Avenue, 1416 Cary Avenue, and 1525 and 1535 Saint Julian Avenue; from Residential Mixed to Institutional for Property Located at 2700 East Princess Anne Road; from Single Family Traditional to Open Space/Recreation for Properties Located at 2707, 2711, 2727, 2729, 2737 and 2739 East Princess Anne Road, 1209 and 1215 Norchester Avenue, 2738 and 2744 Hollister Avenue, and several unaddressed parcels located on the south side of East Princess Anne Road and on the north side of Hollister Avenue. - **(Ordinance No. 48036)**

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

PH-5 PUBLIC HEARING scheduled this day pursuant to State Law, on the application of the **CITY OF NORFOLK**, for the following Change of Zoning:

An Ordinance to Rezone Properties Located at 1200 Goff Street, 1351 and 1371 Hanson Avenue, 1401 and 1445 Maltby Avenue, 1416 Cary Avenue, 1525 and 1535 Saint Julian Avenue and 1445 Roberts Road From I-G (Industrial-General) District and I-L (Industrial-Light) District to MF-NS (Multi-Family - Neighborhood-Scale) District; Property Located at 2700 East Princess Anne Road from I- L (Industrial-Light) District and PD-BCR (Planned Development-Broad Creek Renaissance District) District to IN (Institutional) District; and Properties Located at 2707, 2711, 2727, 2729, 2737 and 2739 East Princess Anne Road, 1209 and 1215 Norchester Avenue, 2738 and 2744 Hollister Avenue, and several unaddressed parcels located on the south side of East Princess Anne Road and on the north side of Hollister Avenue from C-C (Community-Commercial) District and SF-T (Single Family-Traditional) District to OSP (Open Space Preservation) District. - **(Ordinance No. 48037)**

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

PH-6 PUBLIC HEARING scheduled this day pursuant to State Law, on the application of the **CITY OF NORFOLK**, to vacate portions of the right-of-way of Posey Lane between the Transit Center and Fenchurch Street, containing 10,261 Sq. Ft or 0.236 Ac., more or less.

An ordinance closing, vacating and discontinuing a portion of Posey Lane. - **(Ordinance No. 48038)**

ACTION:	Adopted [7 to 1]
AYES:	Doyle, Graves, Johnson, McClellan, Smigiel Jr., Thomas Jr., Alexander
NAYS:	Paul R. Riddick

PH-7 **PUBLIC HEARING** scheduled this day pursuant to State Law on the application of the **CITY OF NORFOLK**, to vacate portions of the right-of-way of Fenchurch Street between Wood Street and the proposed extension of Freemason Street, containing 40,642 Sq. Ft or 0.933 Ac., more or less.

An Ordinance closing, vacating and discontinuing a portion of Fenchurch Street. - **(Ordinance No. 48039)**

ACTION:	Adopted [7 to 1]
AYES:	Doyle, Graves, Johnson, McClellan, Smigiel Jr., Thomas Jr., Alexander
NAYS:	Paul R. Riddick

PH-8 **PUBLIC HEARING** scheduled this day pursuant to State Law, of the **CITY OF NORFOLK**, to vacate portions of the right-of-way of Charlotte Street between Fenchurch Street and Chapel Street, containing 20,449 Sq. Ft or 0.469 Ac., more or less.

An Ordinance closing, vacating and discontinuing a portion of Charlotte Street. - **(Ordinance No. 48040)**

ACTION:	Adopted [7 to 1]
AYES:	Doyle, Graves, Johnson, McClellan, Smigiel Jr., Thomas Jr., Alexander
NAYS:	Paul R. Riddick

PH-9 **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application of the **CITY OF NORFOLK**, to vacate portions of the right-of-way of Chapel Street between Mariner Street and Holt Street, containing 10,326 Sq. Ft or 0.237 Ac., more or less.

An Ordinance closing, vacating and discontinuing a portion of Chapel Street. - **(Ordinance No. 48041)**

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

PH-10 PUBLIC HEARING scheduled this day pursuant to State Law, to hear comments authorizing the Conveyance to R & R Renovations, LLC of a certain parcel of property located at **881 Lexington Street** for the total sum of \$8,000.00 in accordance with the terms and conditions of the Purchase and Sale Agreement.

An Ordinance Authorizing the Conveyance to R&R Renovations LLC of a Certain Parcel of Property Located at **881 Lexington Street** for the Total Sum of \$8,000.00 in Accordance with the Terms and Conditions of the Purchase and Sale Agreement. - **(Ordinance No. 48042)**

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

PH-11 Public Hearing scheduled this day pursuant to State Law, to hear comments authorizing the conveyance to R & R Renovations, LLC of that certain parcel of property located at **885 Lexington Street** in accordance with the terms and conditions of the Purchase & Sale Agreement and authorizing the release of the City's right of reverter upon satisfaction of a certain condition

An Ordinance Authorizing the Conveyance to R&R Renovations LLC of that Certain Parcel of Property Located at **885 Lexington Street** in Accordance with the Terms and Conditions of the Purchase & Sale Agreement, and Authorizing the Release of the City's Right of Reverter upon Satisfaction of a Certain Condition. - **(Ordinance No. 48043)**

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

PH-12 **PUBLIC HEARING** scheduled this day pursuant to State Law on the application of **THE PATHWAY REALTY GROUP LLC**, for 1) a Change of Zoning from R-C (Residential – Coastal) and C-C (Community – Commercial to Conditional C-C (Community – Commercial) and 2) Conditional Use Permits to allow more than 24 dwellings units and to allow less than fifty percent of first floor commercial at **7911-7915 Shore Drive and 7920-7930 Ransom Road**.

An Ordinance to Rezone Properties Located at **7911 to 7915 Shore Drive and 7920 to 7930 Ransom Road** from R-C (Residential-Coastal) District and C-C (Community-Commercial) District to Conditional C-C (Community-Commercial) District. - (**Ordinance No. 48044**)

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, 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.

C-1 An Ordinance Granting Conditional Use Permits to Authorize Multi-family Dwellings Where More Than 50% of the First Floor Will be Utilized for Residential Purposes in the C-C (Community-Commercial) Zoning District on Properties Located at **7911 to 7915 Shore Drive and 7920 to 7930 Ransom Road**. - (**Ordinance No. 48045**)

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

- C-2 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of an Automobile Storage Facility Operated by Poppee Angel, LLC on Property Located at **5570 Raby Road. - (Ordinance No. 48046)**

Lisa Murphy, 440 Monticello Avenue, Suite 2200, was present to answer questions in this matter.

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

- C-3 An Ordinance to Schedule the Starting Time of the **Organizational City Council Meeting** at 1:00 P.M., Wednesday, July 1, 2020 in the Council Chamber. - **(Ordinance No. 48047)**

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

- C-4 An Ordinance Accepting a Donation of the Remaining Physical Collection of Photographic Images Valued in Excess of \$10,000.00 from Virginian-Pilot Media Companies, LLC for Storage at Norfolk Public Libraries. - **(Ordinance No. 48048)**

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

- C-5 An Ordinance Granting GLC 1300 Monticello LLC Permission to Encroach into the Right-of-Way at **1312 Monticello Avenue** with an ADA Ramp and Dumpster Enclosure. - **(Ordinance No. 48049)**

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

- C-6 An Ordinance Granting Norfolk Convention & Visitors Bureau, Inc. d/b/a VisitNorfolk Permission to Encroach into the Right-of-Way at **232 E. Main Street** with Building-Mounted Signage, Planters and a Bench. - **(Ordinance No. 48050)**

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

- C-7 An Ordinance Granting Michael, LLC and its Tenant Corner Spot Inc. Permission to Encroach into the Right-of-Way at **2406 Colonial Avenue** with a Blade Sign. - **(Ordinance No. 48051)**

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

REGULAR AGENDA

- R-1 A Resolution to Amend the **Cost Allocation Agreement** Between the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Virginia Beach and the Transportation District Commission of Hampton Roads. - **(Resolution No. 1792)**

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

- R-2 An Ordinance Approving and Adopting the **Fiscal Year 2021 Compensation Plan** for Officers and Employees of the City, including its Tables and Regulations, and Approving Criteria and Procedures for Pay Supplements for Certain Constitutional and State Officers and their Employees. - **(Ordinance No. 48052)**

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

- R-3 An Ordinance Authorizing a **Cost Sharing Agreement** with Hampton Roads Sanitation District for Improvements to the Larchmont Area Sanitary Sewer. - **(Ordinance No. 48053)**

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

- R-4 An Ordinance Amending the **FY2020 Annual Appropriations Ordinance (No. 47,636)** so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$40,729.38 from the Virginia 9-1-1 Services Board for the Public Safety Answering Point, Text-To-911 Grant to Implement an Integrated SMS/Text Delivery Within the Existing VESTA 911 Call Handling Equipment (CHE) Platform. - **(Ordinance No. 48054)**

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

- R-5 An Ordinance Authorizing the Acquisition of Certain Parcels of Property Located at **3020 E. Princess Anne Road, 3026 E. Princess Anne Road and 2122 Vincent Avenue** for the Sum of \$795,500.00; Approving the Terms and Conditions of the Purchase and Sale Agreement; and Authorizing the Expenditure of a Sum of up to \$885,000.00 from Funds Heretofore Appropriated for Acquisition of the Properties, all Related Transactional Costs and Demolition. - **(Ordinance No. 48055)**

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

- R-6 An Ordinance Amending the **FY2020 Annual Appropriations Ordinance (No. 47,636)** **SO AS TO** Authorize the Expenditure of Previously Appropriated Grant Funds up to the sum of \$21,178,304.00 from the Commonwealth of Virginia Department of Accounts as Authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the Coronavirus Relief Funds. - **(Ordinance No. 48056)**

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

- R-7 An Ordinance Amending and Reordaining Section 2-48(a) of the *Norfolk City Code, 1979*, as Amended, **SO AS TO** Add One New Section Making Juneteenth a Paid City Holiday. - **(Ordinance No. 48057)**

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

- R-8 An Ordinance Approving a **Pre-Development Agreement** by and Amongst Norfolk Redevelopment and Housing Authority, the City of Norfolk, and Brinshore Development, L.L.C. and Authorizing the City Manager to Enter into the Pre-Development Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48058)**
Alton Robinson, 628 West 27th Street, spoke in opposition to this matter.

ACTION:	Adopted [7 to 1]
AYES:	Doyle, Graves, Johnson, McClellan, Smigiel Jr., Thomas Jr., Alexander
NAYS:	Paul R. Riddick

- R-9 An Ordinance Consenting to Hampton Roads Sanitation District's Exercise of its Option to Purchase Approximately Thirty-Five (35) Acres of Real Property Located in the City of Norfolk Pursuant to that Certain Option to Purchase Real Estate Between the City of Norfolk, as Seller, and Hampton Roads Sanitation District, as Purchaser, Dated April 12, 2018. - **(Ordinance No. 48059)**

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

- R-10 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Commercial Recreation Center Named "Dragon Vapes" on Property Located at **846 East Little Creek Road.**

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

- R-11 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Commercial Recreation Center Operated by Hadi Makhoul on Property Located at **6586 Tidewater Drive, Suites I and J.**

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

R-12 The Motion is to reconstitute to three different votes on the Conditional Use Permit applications.

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

R-12A An Ordinance Granting Conditional Use Permit to Authorize the Operation of a Convenience Store Named “Colley Shop” on Property Located at 4800 Colley Avenue, Units A and B.

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

R-12B An Ordinance Granting Conditional Use Permit to Authorize the Operation of a for a Commercial Recreation Center Named “Colley Shop” on Property Located at 4800 Colley Avenue, Units A and B.

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

R-12C An Ordinance Granting Conditional Use Permit to Authorize the Sale of Smoking or Vaping Products Named “Colley Shop” on Property Located at 4800 Colley Avenue, Units A and B.

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

R-13

A Resolution appointing or reappointing 18 Members to 1 Commission, 3 Boards, and 3 Authorities for a certain term - **(Resolution No. 1793)**

ACTION: **Adopted [Unanimous]**

AYES: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr.,
Alexander

ADJOURNMENT