

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING

TUESDAY, JULY 9, 2019 – 7:00 P.M.

Mayor Alexander called the meeting to order at 7:00 p.m.

Prayer offered by Chaplain Terry Haddock, Norfolk Police Department, followed by the Pledge of Allegiance.

The following members were present: Mrs. Courtney R. Doyle, Mrs. Angelia Williams Graves, Mrs. Mamie B. Johnson, Mrs. Andria P. McClellan, Mr. Paul R. Riddick, Mr. Tommy Smigiel, Mr. Martin Thomas Jr., and Mr. Kenneth Cooper Alexander.

Mayor Alexander moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

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

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "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," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective July 9, 2019.

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

No: None.

PUBLIC HEARING

PH-1

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 on the application of **Watermark Apartments, L.P.**, to quitclaim, vacate and release a utility easement on property located at **7221 Newport Avenue**.

Thereupon, an Ordinance entitled, “An Ordinance quitclaiming, vacating and releasing to **Watermark Apartments, L.P.**, a Utility Easement on property located at **7221 Newport Avenue** in the City of Norfolk; and authorizing the City Manager to execute an appropriate Deed of Vacation and Release on behalf of the City,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

CONSENT AGENDA

C-1

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the operation of an establishment for commercial vehicle repair and maintenance named “**Seven Cities Repair**” on property located at **420 East 20th Street**.

Matthew Comfort, 2176 Hedgelawn Way, Virginia Beach, VA, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

C-2

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the operation of a nightclub named **“Living Room”** on property located at **700 North Military Highway**.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

Abstained: Alexander.

C-3

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to modify the intensity and dimensional standards of the R-C (Residential-Coastal) Zoning District in order to accommodate elevating a flood-prone single-family dwelling on property located at **1505 Lea View Avenue**.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

C-4

Letter from the City Manager and a Resolution entitled, A Resolution in support of the City of Norfolk’s participation in the **Biophilic Cities Network**.

Ellis W. James, 2021 Kenlake Place, spoke in favor of this matter.

ACTION: The Resolution as introduced was **adopted**, effective July 9, 2019.

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

No: None.

C-5

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the operation of a nightclub named **“Granby Theater”** on property located at **421 Granby Street**.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

C-6

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting, appropriating and authorizing for expenditure of a grant award of \$20,294 from the **Virginia Department of Behavioral Health and Developmental Services** for the **Norfolk Community Services Board Infant and Toddler Connections Program** to provide early intervention services.

Ellis W. James, 2021 Kenlake Place, spoke in favor of this matter.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

C-7

Letter from the City Manager and an Ordinance entitled, An Ordinance permitting **Monticello Office Building, L.L.C.** to encroach into the right-of-way at **258 Granby Street** with a sign.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

C-8

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a banquet hall named **“Andalousi, LLC”** on property located at **2729 Bowdens Ferry Road**.

Omar Boukhriss, applicant, 617 Botetourt Gardens, stated that he has owned the building for (3) years and has made some additional changes to the building, secured additional parking spaces and valet parking., and indicated there will be no separate sales of alcohol outside of the facility.

Thomas Harris, 1231 West 27th Street, stated that he has seen a lot of changes in the neighborhood, none that has brought additional revenue to the City. The college students have parties in the neighborhood all the time, he does not see why Mr. Boukhriss cannot operate a banquet facility.

Harvey Lindsey, One Colley Avenue, Apt 900, stated the banquet hall is a good idea for the church and asked that the matter be approved.

Don Roby, President, Lambert’s Point Civic League, 1410 West 37th Street, stated that the 1) Civic league supports the project, 2) banquet hall will bring 8-10 fulltime jobs and 20 part time jobs, 3) working poor can become gainfully employed, and 4) hours of operation will not interfere with school hours of operations.

Ted Warren, 3719 Granby Street, was present to support the matter.

The following opponents spoke on this matter.

Robin and Peter, 3711 Bowden’s Ferry Road, stated there was no notice posted and there was not a unanimous vote for the project. The banquet hall will bring major disturbances to the neighborhood, noise, parking issues and trash.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: Riddick.

Abstained: Alexander.

REGULAR AGENDA

R-1

Letter from the City Manager and a Resolution entitled, “A Resolution approving the exercise by the **Norfolk Redevelopment and Housing Authority** of powers conferred by the **Virginia Housing Authorities Law, Chapter 1, Title 36** of the **Code of Virginia of 1950**, as amended, in connection with the issuance of its multifamily housing revenue bonds in a principal amount of up to \$14,500,000, the proceeds of which will be loaned to **Cogic Memorial Home** for the **Elderly Preservation, L.P.** to assist it in financing a portion of the cost of acquiring, renovating and rehabilitating the **Cogic Highrise Apartments** located at **2412 East Virginia Beach Boulevard**, Norfolk, Virginia, and financing certain related costs and reserves, and upon which the **City** shall not have any payment obligation,” was introduced in writing and read by its title.

Barry Hunter, 3305 Stapleford Chase, Virginia Beach, VA, the attorney, was present to answer questions.

ACTION: The Resolution as introduced was **adopted**, effective July 9, 2019.

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

No: None.

The Mayor called to reconsider the vote to include Councilwoman Johnson.

ACTION: The Resolution as introduced was **adopted**, effective July 9, 2019.

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

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing an amendment to the **Land Disposition and Development Contract** between the **City** and the **Hanson Company, LLC SO AS TO** revise the closing date, adopt a new development schedule and reduce the purchase price of the property by \$167,686.00,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance amending and reordaining Ordinance No. 43,529 **SO AS TO** remove the language from **Exhibit D** of the Ordinance requiring the delivery of a Special Warranty Deed conveying any particular parcel to take place no later than sixty (60) days from the effective date of the Ordinance,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the temporary closure and encroachment of a portion of **Front Street** and authorizing the City Manager to enter into a **Temporary Road Closure and Encroachment Agreement**,” will be introduced in writing and read by its title.

Charles Land, 421 West Bute Street, Apt 503, was present to answer questions and to represent the Fort Norfolk Community.

ACTION: The Ordinance as introduced was **adopted**, effective July 9, 2019.

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

No: None.

NEW BUSINESS

- Marvette Boone, 1831 East Lexitan Street, express concerns about neighbor's fence encroaching on her property.
- Rachel Reap, (homelessness), expressed concerns about crime, living conditions and needing help.
- Danny Lee Ginn, 3844 Dare Circle, spoke on good government.