

**NORFOLK, VIRGINIA**  
**ACTION OF THE COUNCIL**  
**CITY COUNCIL MEETING**

**TUESDAY, SEPTEMBER 22, 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 48,061. 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.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
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	Remote/Telephonically
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.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, 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.

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

**INVITATION FOR BIDS**

**IB-1** **INVITATION TO BID** for a Long Term Garage Parking Agreement, with a term of approximately sixteen (16) years, for forty (40) parking spaces in the Boush Street Garage located at 112 W. City Hall Avenue, and ninety-five (95) parking spaces in the Town Point Garage located at 110 West Main Street in the City of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received by the Seaboard Building, LLC., read and numbered following which the City Manager recommend continuing the matter to October 13, 2020.

<b>ACTION:</b>	<b>Continued to October 13, 2020 [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**IB-2** **INVITATION TO BID** for a Long Term Garage Parking Agreement, with a term of approximately sixteen (16) years, for seventy-seven (77) parking spaces in the Freemason Street Garage located at 161 Freemason Street in the city of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received by JJB Financial, LLC., read and numbered following which the City Manager recommend continuing the matter to October 13, 2020.

<b>ACTION:</b>	<b>Continued to October 13, 2020 [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**IB-3**      **INVITATION TO BID** for a Long Term Garage Parking Agreement, with a term of approximately sixteen (16) years, for one hundred seven (107) parking spaces in the Freemason Street Garage located at 161 Freemason Street in the city of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received by GNK, LLC., read and numbered following which the City Manager recommend continuing the matter to October 13, 2020.

<b>ACTION:</b>	<b>Continued to October 13, 2020 [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**IB-4**      **INVITATION TO BID** for a Long Term Garage Parking Agreement, with a term of approximately sixteen (16) years, for thirty (30) parking spaces in the Town Point Garage located at 110 West Main Street in the City of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received by 131 Granby Street, LLC., read and numbered following which the City Manager recommend continuing the matter to October 13, 2020.

<b>ACTION:</b>	<b>Continued to October 13, 2020 [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**IB-5**      **INVITATION TO BID** for a Long Term Garage Parking Agreement, with a term of approximately sixteen (16) years, for one hundred thirty-six (136) parking spaces in the Boush Street Garage located at 112 W. City Hall Avenue in the City of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received by 120 Brooke, LLC., read and numbered following which the City Manager recommend continuing the matter to October 13, 2020.

<b>ACTION:</b>	<b>Continued to October 13, 2020 [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**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 modify the City's **Short-Term Rental Regulations**.

An Ordinance to Amend Various Sections and Tables of the *Norfolk Zoning Ordinance* in Order to Add Additional Performance Standards, Revise Parking Requirements, and Establish a Civil Penalty Scheme for **Short-Term Rentals**.

The following spoke in opposition to this matter:

Anthony Sa Ha Deo, 2133 Pierce Drive, Virginia Beach.

Joseph Sherman, 324 West Freeman Street

<b>ACTION:</b>	<b>Continued to October 13, 2020 [7 to 1]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Alexander
<b>NAYS:</b>	Martin A. Thomas Jr.

**PH-2 PUBLIC HEARING** scheduled this day pursuant to State Law on the application of the **CITY PLANNING COMMISSION**, for a General Plan Amendment to Appendix B within PlaNorfolk2030 to modify “**A Green Infrastructure Plan for Norfolk**”.

An Ordinance to Amend the City’s General Plan, PlaNorfolk2030, SO AS TO Modify “**A Green Infrastructure Plan for Norfolk**.” - (**Ordinance No. 48146**)

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

**PH-3 PUBLIC HEARING** schedule this day pursuant to State Law to hear comments approving a **Lease Agreement with Verizon Virginia, LLC** for the Lease of City owned property located in the City of Virginia Beach near Shell Road.

An Ordinance approving a **Lease Agreement with Verizon Virginia, LLC** for the Lease of City Owned Property located in the City of Virginia Beach Near Shell Road. - **(Ordinance No. 48147)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 **VRA, LLC**, for a text amendment to Section 9.2.21 “Azalea Garden Place Residential Planned Development” (PD-R Azalea Garden Place) of the *Norfolk Zoning Ordinance*.

An Ordinance to Amend Section 9.1.21 of the *Norfolk Zoning Ordinance* SO AS TO Revise the Building Layout and Means of Vehicular Access for the Azalea Garden Place Residential Planned Development District (PD-R Azalea Garden Place). - **(Ordinance No. 48148)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 **MITAIC, LLC**, for a change of zoning from IN (Institutional) to Conditional MF-NS (Multi-family – Neighborhood Scale) at **3611 Colley Avenue**.

An Ordinance to Rezone Property located at **3611 Colley Avenue** from IN (Institutional) District to Conditional MF-NS (Multi-Family Neighborhood Scale) District. - **(Ordinance No. 48149)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 **JEROME BUSSEY**, for a Change of Zoning from C-C (Community – Commercial) to Conditional MF-NS (Multi-family – Neighborhood Scale) at **3402 E. Princess Anne Road**.

An Ordinance to Rezone Property located at **3402 East Princess Anne Road** from C-C (Community-Commercial) District to Conditional MF-NS (Multi-Family - Neighborhood Scale) District. - **(Ordinance No. 48150)**

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

**PH-7** **PUBLIC HEARING** scheduled this day pursuant to State Law to hear comments approving a **Lease Agreement, with Garden of Hope, Inc.** as Lessee, for the property known as Harbor House at **1609-1617 Lovitt Avenue**.

An Ordinance approving a **Lease Agreement with Garden of Hope, Inc.** as Lessee for the property known as Harbor House at **1609-1617 Lovitt Avenue** in the City of Norfolk - **(Ordinance No. 48151)**

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

**PH-8 PUBLIC HEARING** scheduled this day pursuant to State Law to hear comments approving a **First Amendment to Docking Agreement** between the City of Norfolk and Rover Marine, Inc., SO AS TO extend the term of the Agreement for the use of a portion of the City’s waterfront area for docking and berthing the Victory Rover Vessel for one (1) additional period of five (5) years, and authorizing the City Manager to execute the First Amendment to Docking Agreement on behalf of the City of Norfolk.

An Ordinance approving a **First Amendment to Docking Agreement** Between the City of Norfolk and Rover Marine, Inc., SO AS TO Extend the Term of the Agreement for the Use of a Portion of the City's Waterfront Area for Docking and Berthing the Victory Rover Vessel For One (1) Additional Period of Five (5) Years, and Authorizing the City Manager to Execute the First Amendment to Docking Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48152)**

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

**PH-9 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 define and establish a principal use called “small box variety store” and associated amendments regarding “convenience store” and other similar uses.

An Ordinance to Amend Section 4.2.3.F(6) and Various Tables of the *Norfolk Zoning Ordinance* SO AS TO Define Performance Standards for “Small Box Variety Store” and to Permit the Use in Certain Zoning Districts by Conditional Use Permit Only.

<b>ACTION:</b>	<b>Continued Generally [Unanimous]</b>
<b>AYES:</b>	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.**

<b>ACTION:</b>	<b>Consent Agenda Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

- C-1 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of an Adult Day Care Facility Named “Advantage Home Care” on Property located at 4939 Atterbury Street. - **(Ordinance No. 48153)**
  
- C-2 An Ordinance Accepting with Appreciation the Donation of \$17,920.00 to the City from the Hampton Roads Community Foundation and Appropriating and Authorizing the Use of the Funds to Support Library Services and Programs with a \$1,310.00 Preference for Works of Fiction and a \$5,790.00 Preference for the Purchase of Additional Books, Reading or Educational Materials at the Pretlow Anchor Branch Library. - **(Ordinance No. 48154)**
  
- C-3 An Ordinance Permitting the United States of America, by the Naval Support Activity Hampton Roads, on Behalf of the United States Navy Moral, Welfare and Recreation Program and its Sewells Point Golf Course, to Encroach into the Rights-of-Way of Hampton Boulevard and Terminal Boulevard with Multiple Directional Signs. - **(Ordinance No. 48155)**
  
- C-4 An Ordinance Accepting the Conveyance of a Utility Easement By the American Heart Association, Incorporated on the Property located at 1050 N. Military Highway and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City. - **(Ordinance No. 48156)**

**REGULAR AGENDA**

- R-1 A Resolution Adopting the City of Norfolk’s “**Program for Public Information & Flood Insurance Coverage Improvement Plan**” to Provide Guidance for the Development and Implementation of Targeted Outreach Projects, Flood Response Preparations, and Public Information Initiatives. - **(Resolution No. 1804)**

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

- R-2 An Ordinance Granting Conditional Use Permits to Authorize a Restaurant Operating After Midnight, the Sale of Alcoholic Beverages for Off-Premises Consumption and Live Entertainment at an Establishment Named “Toast” on Properties Located at **2406 Colonial Avenue and 430 West 24th Street**. - **(Ordinance No. 48157)**

John Porter, applicant, 2406 Colonial Avenue was available for questions to this matter.

Cristina Angelo, 2410 Colonial Avenue, spoke in opposition to this matter.

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

- R-3 An Ordinance Granting a Development Certificate, With Waivers, to Permit the Renovation of an Existing Building with Mixed Uses on Property located at **119 East Princess Anne Road**. - **(Ordinance No. 48158)**

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

- R-4 An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) SO AS TO Appropriate and Authorize the Expenditure of Interest Earnings up to the sum of \$100,000.00 for Eligible Purposes pursuant to the **Coronavirus Aid, Relief, and Economic Security (CARES) Act** if and when Earned from the Accounts of the CARES Act. - **(Ordinance No. 48159)**

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

- R-5 An Ordinance approving a Right of Entry Permitting **Suffolk Monument Works, Inc.** and **TLC Construction LLC** to go upon and use City-Owned property located within **Forest Lawn Cemetery at 8100 Granby Street** for the Installation of a Foundation and Private Mausoleum. - **(Ordinance No. 48160)**

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

- R-6 An Ordinance to Assure the **Continuity of the Government** During the Disaster Resulting from the COVID-19 Pandemic by a Second Readoption of Ordinance No. 47,950 to Permit Electronic Meetings of Public Bodies as Authorized by Virginia Code Section 15.2-1413. - **(Ordinance No. 48161)**

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

- R-7 An Ordinance **Declaring the Continuation of the State of Local Emergency** due to the Imminent Public Health Threat COVID-19 Pursuant to Virginia Code Section 44-146.21. - **(Ordinance No. 48162)**

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

- R-8** An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Nightclub Named “Neon LIV” on Property located at **727 Granby Street**. - **(Ordinance No. 48163)**

Clarence Reynolds, 237 Granby Street, was available to answer questions.

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

- R-9** A Resolution Appointing 4 Members to 1 Commission and 2 Boards for a Certain Term. - **(Resolution No. 1805)**

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

**ADJOURNMENT**