

# NORFOLK, VIRGINIA

## RESULTS FOR THE COUNCIL

**TUESDAY, JANUARY 29, 2019 – 7:00 P.M.**

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

**\*Councilman Smigiel was absent\***

### PUBLIC HEARINGS

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 quitclaiming, vacating and releasing to 8412 Shore Drive Development, LLC., three easements, located at **8150 Shore Drive** in the City of Norfolk.

**Adopted**  
**Yes: 7**  
**No: 0**

PH-2                    **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 authorizing the conveyance to the Norfolk Redevelopment and Housing Authority of a certain parcel of property located at **419 South Main Street** in accordance with terms and conditions of the Conveyance Agreement.

**Adopted**  
**Yes: 7**  
**No: 0**

PH-3

**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 approving a Lease Agreement with Crown Castle GT Company LLC, for a parcel of land located in the City of Norfolk, at **1384 Kempsville Road** .

**Adopted**

**Yes: 7**

**No: 0**

PH-4

**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 approving a Lease Agreement with Crown Castle GT Company LLC, for a parcel of land at **422 Government Avenue** , located in the City of Norfolk.

**Adopted**

**Yes: 7**

**No: 0**

PH-5

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for zoning text amendments to the Norfolk Zoning Ordinance to include provisions that were in the prior zoning ordinance regarding parking and live-work dwellings in the PCO Districts and definitions for “nonconforming lot,” “nonconforming structure,” “nonconforming use,” and “zoning lot;” to adjust the off-lot parking requirements in the PCO and HC Districts and for a Historic Landmark property; and to revise the definition of “antique.”

**Adopted**

**Yes: 7**

**No: 0**

PH-6

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **Norfolk Redevelopment and Housing Authority**, for the closing, vacating and discontinuing of the following streets: (a) the western terminus of **Woodis Avenue**, extending westward of the western line of Colley Avenue, said parcel being a right-of-way containing 4,989 square feet and (b) an unnamed 10-foot wide right-of-way located between the southern line of Southampton Avenue and the northern line of Woodis Avenue, said parcel being a right-of-way containing 2,378 square feet.

**Adopted**

**Yes: 7**

**No: 0**

PH-7

**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 approving a **Purchase and Sale Agreement** between the City of Norfolk, as seller, and **EDC Homes - The Tern, LLC** as buyer, for real property consisting of 7.28 acres, more or less, and located generally at **21<sup>st</sup> Bay Street and Shore Drive** in the East Ocean View section of the City of Norfolk.

**Adopted**

**Yes: 7**

**No: 0**

PH-8

**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 authorizing the vacation and release to Metro Machine Corp., of a Utility Easement located at **200 Ligon Street and E S Ligon Street** in the City of Norfolk, conditioned upon the Conveyance to the City of a new Utility Easement by Metro Machine Corp.

**Adopted**  
**Yes: 7**  
**No: 0**

PH-9

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **The Lawson Companies**, for **(a)** change of zoning from Conditional C-C (Community - Commercial) district to MF-AC (Multi-Family - Apartment Complex) district and **(b)** a Conditional Use Permit to allow more than 24 dwelling units on property located at **630 Tidewater Drive** .

**Adopted**  
**Yes: 7**  
**No: 0**

PH-10

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **S.L. Nusbaum Realty Company**, for **(a)** change of zoning from CA (Courtney Avenue) zoning district to MF-AC (Multi-Family - Apartment Complex) district; **(b)** a Zoning Text Amendment to repeal Section 9.3, "Other Approved Zoning Districts," which includes Section 9.3.1., "Courtney Avenue District (CA)"; and **(c)** a Conditional Use Permit to allow more than 24 dwelling units on property located at **1140 E. Princess Anne Road** .

**Adopted**  
**Yes: 6**  
**No: 1 (Riddick)**

PH-11

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **The Franklin Johnston Group**, for **(a)** Amendment to the Future Land Use Map within the City's General Plan, plaNorfolk2030, from Office to Residential Mixed; **(b)** a change of zoning from I-G (Industrial-General) and I-L (Industrial-Light) to TOD-Support (Transit Oriented Development - Support); and **(c)** a Conditional Use Permit to allow Multi-Family within the TOD-Support zoning district and **(d)** TOD Development Certificate with waivers requested for minimum lot coverage and building location requirements on property located at **5827 and 5845 Curlew Drive and 5786 Sellger Drive**.

**Adopted**

**Yes: 6**

**No: 1 (Riddick)**

C-1

An Ordinance granting a **Development Certificate**, with waivers, to permit the construction of a new residential tower in the D-FN (Downtown-Fort Norfolk) District on property located at **1 Colley Avenue**.

**Adopted**

**Yes: 7**

**No: 0**

C-2

An Ordinance to schedule a **Council Retreat** on Friday, February 22, 2019 and Saturday, February 23, 2019 and to move the location from the Council Chambers of the City Hall Building.

**Adopted**

**Yes: 7**

**No: 0**

C-3 An Ordinance rescinding the Authority to lease to **Brilliant Beginnings Learning Center II, LTD.**, a parcel of property owned by the City of Norfolk located at **1210 W. Little Creek Road** and repealing Ordinance number 47,299, adopted on July 24, 2018.

**Adopted**

**Yes: 7**

**No: 0**

C-4 An Ordinance granting **245 Granby Street, LLC** permission to encroach into the right-of-way at 245 Granby Street approximately 117 square feet and into the right-of-way on West Tazewell Street approximately 132 square feet for the purpose of outdoor dining and approving the terms and conditions of the **Encroachment Agreement**.

**Adopted**

**Yes: 7**

**No: 0**

C-5 An Ordinance accepting the conveyance of a utility easement by the **Retreat at Harbor Pointe, L.P.** to the City of Norfolk and authorizing the City Manager to accept the **Deed of Easement** on behalf of the City.

**Adopted**

**Yes: 7**

**No: 0**

C-6 An Ordinance granting **Conditional Use Permits** to authorize retail sales after midnight and the sale of alcoholic beverages for off-premises consumption at an establishment named **“GoPuff”** on property located at **1312 Monticello Avenue, Unit B**.

**Adopted**

**Yes: 7**

No: 0

C-7 An Ordinance repealing Ordinance No. 46,128 adopted on November 10, 2015 and Ordinance number 46,879 adopted on June 27, 2017 **SO AS TO** permit 450 Boush, LLC or its successors and assigns to encroach into the **right-of-way at Greens Court, Boush Street and Charlotte Street** with building façade, juliet balconies, foundation canopies, roof overhangs and a sign on Boush Street.

Adopted

Yes: 7

No: 0

## REGULAR AGENDA

R-1 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the acquisition of a certain parcel of property located at **8021 Hampton Boulevard** in the City of Norfolk for the sum of \$750,000.00; approving the terms and conditions of the **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up to \$760,000.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs,” was introduced in writing and read by its title.

Adopted

Yes: 7

No: 0

R-2 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a First Amendment to Lease between the **City of Norfolk, as Landlord, and Stockpot North, Inc., as Tenant**, and authorizing the City Manager to execute the Second Amendment to Lease on behalf of the City of Norfolk,” was introduced in writing and read by its title.

**Adopted**

**Yes: 7**

**No: 0**

- R-3 Letter from the City Attorney and Resolution entitled, “A Resolution of the Council of the City of Norfolk, Virginia **supporting new legislation** that would allow a federally recognized Native American Tribe authorized to conduct gaming under federal law to operate a casino in the City of Norfolk,” was introduced in writing and read by its title.

**Adopted**

**Yes: 7**

**No: 0**

- R-4 A Resolution entitled, “A Resolution appointing 47 persons to 4 Boards, 8 Commissions and 1 Committee for certain terms,” was introduced in writing and read by its title.

**Adopted**

**Yes: 7**

**No: 0**

- R-5 A Letter from the City Clerk appointing Mina D. Barberis to the position of Deputy City Clerk/Secretary - effective February 4, 2019 in Plan 1, Grade 9 of the City Compensation Plan, to serve at the pleasure of the City Clerk.

**Confirm Appointment**

**Yes: 7**

**No: 0**

- R-6 A Resolution entitled, “A Resolution supporting the passage of HB 1615,” was introduced in writing and read by its title.

**Adopted**

**Yes: 7**

**No: 0**



