CITY COUNCIL
AGENDA
TUESDAY, AUGUST 23, 2016

Work Session Agenda

5:00 PM – City Hall - 10th Floor Conference Room

Council Interests

Documents:

08-23-16 COUNCIL INTERESTS.PDF

Break For Dinner

Agenda Overview

Presenter: *Marcus D. Jones, City Manager*

External Auditors

Presenter: *Cheryl Xystros, KPMG*

Documents:

01 08-23-16 KPMG - AUDIT PRESENTATION.PDF

Stormwater Fee Credit Program

Presenter: *David Ricks, Director of PublicWorks*

Additional Documents

Documents:

08-23-16 MINUTES OF CITY COUNCIL MEETINGS OF JULY 12, JULY 14 AND JULY 19.PDF
08-23-16 NONSTANDARD LOT CERTIFICATE - 202 PATRICK ST.PDF
08-23-16 NORFOLK CHRISTIAN SCHOOLS - 255 THOLE ST ADN 260 FILBERT ST.PDF
08-23-16 PENDING LAND USE ACTIONS.PDF
08-23-16 RESULTS OF CITY PLANNING COMMISSION PUBLIC HEARING OF JULY 28.PDF

Announcement Of Meeting

Documents:

ANNOUNCEMENT OF MEETING.PDF

Formal Session

7:00 PM - Council Chambers, City Hall, 11th Floor

Prayer

Prayer to be offered by Reverend Father Jim Curran, The Basilica of Saint Mary of the Immaculate Conception Church, followed by the Pledge of Allegiance.

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, on the application of **Brock Ventures, Inc.**, for an amendment to the future land use designation in the General Plan, plaNorfolk2030, from Institutional to Multifamily and for a change of zoning from IN-1 (Institutional) District to R-13 (Moderately High Density Multi-Family) District on property located at **435 Virginia Avenue**.

(Passed by at the June 28, 2016 meeting) (The applicant has requested this matter be continued to October 25, 2016)

Documents:

PH-01 PLAN AMENDMENT AND REZONING AT 435 VIRGINIA AVE - BROCK VENTURES, INC..PDF

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 on approving the relocation of a **Virginia Electric and Power Company** easement located over city-owned property known as Lake Whitehurst in accordance with the Easement Relocation Agreement.

Documents:

PH-02 RELOCATION OF DOMINION VIRGINIA POWER EASEMENT.PDF

PH-3

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 **Timothy M. Massey**, for the closing, vacating and discontinuing a portion ofWilloughby Bay Avenue having a 40-foot width right-of-way and lying south of **775 W. Ocean View Avenue**.

Documents:

PH-03 CLOSURE OF A PORTION OF WILLOUGHBY BAY AVE - TIMOTHY MASSEY.PDF

Regular Agenda

R-1

Matter of a letter from the City Manager and an Ordinance entitled, "An Ordinance

granting a **Pedestrian Commercial Overlay District Development Certificate** to permit the renovation of an existing, nonconforming sign on property located at **222 West 21st Street**," will be introduced in writing and read by its title.

(The applicant has requested this matter be withdrawn)

Documents:

R-01 PCO 21ST STREET DEVELOPMENT CERTIFICATE WAIVER.PDF

R-2

Matter of a letter from the City Manager and a Public Hearing scheduled this day pursuant to action of the Council on July 19, 2016, under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Norfolk Christian Schools**, to amend the Future Land Use Designation in the **General Plan**, *plaNorfolk2030*, from Single-Family Traditional to Institutional at **260 Filbert Street** and for a change of zoning from IN-1 (Institutional), Conditional IN-1, and R-8 (Single-Family) to Conditional IN-1 at **255 Thole Street and 260 Filbert Street**.

(Public Hearing Closed on July 19, 2016)

Documents:

R-02 GENERAL PLAN AMENDMENT AND CHANGE OF ZONING - NORFOLK CHRISTIAN SCHOOL.PDF

R-3

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named 'Carmen's Café' on property located at **9610 1st View Street**," will be introduced in writing and read by its title.

Documents:

R-03 SPECIAL EXCEPTION - 9610 1ST VIEW ST - CARMENS CAFE.PDF

R-4

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named 'Chipotle' on property located at **1087 North Military Highway**," will be introduced in writing and read by its title.

Documents:

R-04 SPECIAL EXCEPTION - 1087 N MILITARY HWY - CHIPOTLE.PDF

R-5

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to permit mixed uses on property located at **4914 Colley Avenue**," will be introduced in writing and read by its title.

Documents:

R-05 SPECIAL EXCEPTION - 4914 COLLEY AVE - CLF CREATIONS.PDF

R-6

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to permit mixed uses on properties located at **4009 to 4013 Colley Avenue and 801 and 809 West 41st Street**," will be introduced in writing and read by its title.

Documents:

R-06 SPECIAL EXCEPTION - 4013 COLLEY AVE AND 801, 809 41ST ST - HOWERIN CONSTRUCTION.PDF

R-7

Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, "An Ordinance granting a **Special Exception** to permit the operation of a religious institution named 'New Horizon Outreach Ministries' on properties located at **1555 to 1575 Kerrey Avenue**," will be introduced in writing and read by its title.

Documents:

R-07 SPECIAL EXCEPTION - 1555-1575 KERREY AVE - NEW HORIZONS OUTREACH MINISTRIES.PDF

R-7A

An Ordinance entitled, "An Ordinance granting a **Special Exception** to permit the operation of a Day Care Center by "New Horizon Outreach Ministries" on property located at **1555 to 1575 Kerrey Avenue**," will be introduced in writing and read by its title.

R-8

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to permit the operation of a commercial drive-through for 'Wendy's' on property located at **1380 East Little Creek Road**," will be introduced in writing and read by its title.

Documents:

R-08 SPECIAL EXCEPTION - 1380 E LITTLE CREEK RD - WENDYS.PDF

R-9

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named 'Bardo' on property located at **434 West 21st Street**," will be introduced in writing and read by its title.

Documents:

R-09 SPECIAL EXCEPTION - 434 W 21ST ST - GREG BOSCH.PDF

R-10

Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **Caroll and Caroline Ballard** to encroach into the right-of-way of **Commonwealth Avenue** with a fence and landscaping hedges," will be

introduced in writing and read by its title.

Documents:

R-10 ENCROACHMENT AT 1546 BLANFORD CIR - CARROLL AND CAROLINE BALLARD.PDF

R-11

Letter from the City Manager and an Ordinance entitled, "An Ordinance requesting the **Virginia Department of Transportation** to establish projects for the surface treatment of six pave segments in accordance with the Programmatic Project Administration Agreement between the City of Norfolk and the Virginia Department of Transportation; and appropriating and authorizing the expenditure of the total sum of $1,000,000.00 for these projects, subject to and in accordance with the terms of the aforesaid Agreement," will be introduced in writing and read by its title.

Documents:

R-11 VDOT FY2017 PRIMARY EXTENSION PROGRAM.PDF

R-12

Letter from the City Manager and an Ordinance entitled, "An Ordinance requesting the **Virginia Department of Transportation** to establish projects for the West Ocean View Flyover, the Citywide ADA Ramp Construction, phase 3, and the Granby Street/Bayview Boulevard Intersection Improvements in accordance with the Programmatic Project Administration Agreement between the City of Norfolk and the Virginia Department of Transportation; and appropriating and authorizing the expenditure of the total sum of $3,540,000.00 for these projects, subject to and in accordance with the terms of the aforesaid Agreement," will be introduced in writing and read by its title.

Documents:

R-12 VDOT FY2017 REVENUE SHARING PROGRAM - 3 PROJECTS.PDF

R-13

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving an Agreement with the **Commonwealth of Virginia**, **Department of Transportation**, for the adjustment of water and sanitary sewer facilities," will be introduced in writing and read by its title.

Documents:

R-13 AGREEMENT WITH VDOT FOR RELOCATION OF WATER AND SEWER FACILITIES.PDF

R-14

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a **Lease Agreement between 741 Monticello Avenue, as Lessor, and the City of Norfolk, as Lessee**, for the lease of property owned by 741 Monticello, LLC located at **741 Monticello Avenue**; authorizing the City Manager to execute the Lease Agreement on behalf of the City of Norfolk; and authorizing the expenditure of a sum of up to $814,400.00 from funds heretofore appropriated to cover the lease payments for the remainder of fiscal year 2016-2017," will be

introduced in writing and read by its title.

Documents:

R-14 LEASE AGREEMENT WITH 741 MONTICELLO LLC - 741 MONTICELLO AVE.PDF

R-15

Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend the Lease Agreement between James E. Baylor Holding Corporation and the City of Norfolk for the property located at **3755 Virginia Beach Boulevard**," will be introduced in writing and read by its title.

Documents:

R-15 LEASE AMENDMENT WITH JAMES E. BAYLOR HOLDING CORP - 3755 VIRGINIA BEACH BLVD.PDF

R-16

Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend the Lease Agreement between 7460 Tidewater Drive Associates, LLC and the City of Norfolk for the property located at **7460 Tidewater Drive**," will be introduced in writing and read by its title.

Documents:

R-16 LEASE AMENDMENT WITH TIDEWATER DRIVE ASSOCIATES LLC - 7460 TIDEWATER DR.PDF

R-17

Letter from the City Manager and an Ordinance entitled, "An Ordinance appropriating grant funds totaling $56,549,805.00 to the **School Board of the City of Norfolk** for Title I Programs, other Special Programs and the School Nutrition Services Program and authorizing the expenditure of the funds in **Fiscal Year 2017 for Norfolk Public Schools**," will be introduced in writing and read by its title.

Documents:

R-17 SPECIAL REVENUE APPROPRIATIONS - NORFOLK PUBLIC SCHOOLS NON-OPERATING FUNDS.PDF

R-18

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a grant in the amount of $1,187,800 from the **Virginia Department of Criminal Justice Services for the Norfolk Criminal Justice Services Agency**, appropriating and authorizing the expenditure of the grant funds in the amount of $1,187,800, authorizing and expenditure of $158,932 in local funding for the NCJS Agency, authorizing the employment of twenty (20) persons for the agency and providing funds for their salaries and benefits," will be introduced in writing and read by its title.

Documents:

R-18 ACCEPTANCE OF GRANT AWARD FROM VIRGINIA DEPARTMENT

OF CRIMINAL JUSTICE SERVICES - 1,187,800.PDF

R-19

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a $165,000.00 Grant Award from the Federal Emergency Management Agency to provide funds to elevate one (1) flood-prone private property and appropriating and authorizing expenditure of the grant funds for the **Elevation Project**," will be introduced in writing and read by its title.

Documents:

R-19 ACCEPTANCE OF FEMA HAZARD MITIGATION GRANT FUNDING.PDF

R-20

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting $8,000 in grant funds from the Virginia Department of Criminal Justice Services for the **Byrne/Jag Grant Program**, appropriating and authorizing the expenditure of the funds and authorizing the expenditure of $8,000 in local cash matching funds for the program and total program funding in the amount of $16,000," will be introduced in writing and read by its title.

Documents:

R-20 ACCEPTANCE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD - 8,000.PDF

R-21

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a Grant Award of $260,000.00 from the **Virginia Department of Behavioral Health and Development Services to the Norfolk Community Services Board** for the development and promotion of an affordable, safe and supportive housing Program for persons with serious mental illness," will be introduced in writing and read by its title.

Documents:

R-21 ACCEPTANCE OF GRANT AWARD FROM VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH - 260,000.PDF

R-22

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting from the **Virginia Department of Behavioral Health and Development Services to the Norfolk Community Services Board** of a Grant Award of $15,529 for the Project for Assistance in Transition from Homelessness, a Grant Award of $32,266 for Substance Abuse Medication Assisted Treatment and a Grant Award of $2,451 for the Program of Assertive Community Treatment and appropriating and authorizing the expenditure of the Grant Funds for the Programs," will be introduced in writing and read by its title.

Documents:

R-22 ACCEPTANCE OF GRANT AWARD FROM VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH - 50,246.PDF

R-23

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a Grant Award of $52,777.78 from the **Virginia Department of Behavioral Health and Development Services to the Norfolk Community Services Board** to reduce bed utilization at Eastern State Hospital," will be introduced in writing and read by its title.

Documents:

R-23 EASTERN STATE HOSPITAL BED UTILIZATION REDUCTION GRANT FROM VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH - 52,777.78.PDF

R-24

Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting $178,738.56 in grant funds from the Virginia Department of Health, Office of Emergency Medical Services, for the "Four for Life" Program and appropriating and authorizing the expenditure of the $178,738.56 in grant funds for the **"Four for Life" Program,"** will be introduced in writing and read by its title.

Documents:

R-24 FOUR-FOR-LIFE AID TO LOCALITY FUNDING - 178,738.56.PDF

R-25

Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **Atlas Holdings Two, LLC** to encroach into the right-of-way at **243 W. Bute Street** with a door awning and sign," will be introduced in writing and read by its title.

Documents:

R-25 ENCROACHMENT AT 243 W BUTE ST - ATLAS HOLDINGS TWO LLC.PDF

R-26

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a grant to **Virginia Supportive Housing**, from the Capital Improvement Program Fund, in the amount of $707,000.00 for the construction of apartments for previously homeless single adults on the property known as **2000 Church Street** in the City of Norfolk," will be introduced in writing and read by its title.

Documents:

R-26 GRANT TO VIRGINIA SUPPORTIVE HOUSING.PDF

R-27

Letter from the City Manager and an Ordinance entitled, "An Ordinance to change the starting time of the **regular weekly city council meeting scheduled** for Tuesday, September 20, 2016, at 7:00 p.m. to September 19, 2016 at 8:00 a.m. and to move the location of said meeting," will be introduced in writing and read by its title.

Documents:

R-27 CHANGE STARTING TIME OF COUNCIL MEETING 9-19-16.PDF

R-28

Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain Subsections (A) and (G) of Sections 24- 203 and 24-203.1, subsection (C) of Section 24-203.1 and add a Subsection (H) to Section 24-203 of the *Norfolk City Code* **SO AS TO** require preservation of at least fifty-one percent (51%) of the building, limit eligible expansion, reduce the minimum age requirement of commercial and multifamily renovation properties from fifty (50) to forty (40) years, to permit change in use and to provide for an adjusted assessment in order to more accurately assess the increased value," will be introduced in writing and read by its title.

Documents:

R-28 AMENDMENTS TO CITY CODE SECTIONS 24-203 AND 24-203.1.PDF