

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, APRIL 23, 2024 – 6:00 P.M.

A CITIZEN WHO WISHES TO ADDRESS COUNCIL CONCERNING A DOCKET ITEM OR NEW BUSINESS MUST REGISTER TO SPEAK WITH THE CITY CLERK BY 3:00 PM THE DAY OF THE MEETING BY CALLING (757) 664-4253 OR EMAILING CCOUNCIL@NORFOLK.GOV.

MOMENT OF SILENCE

Followed by the Pledge of Allegiance.

ROLL CALL

Attendee Name	Title	Status
Courtney R. Doyle	Councilmember - Ward 2	Present
Mamie B. Johnson	Councilmember - Ward 3	Present
Andria P. McClellan	Councilmember - Superward 6	Present
John E. Paige	Councilmember - Ward 4	Present
Danica J. Royster	Councilmember - Superward 7	Present
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Present
Martin A. Thomas Jr.	Vice Mayor - Ward 1	Present
Kenneth Cooper Alexander	Mayor	Present
Bernard Pishko	City Attorney	Present
Patrick Roberts	City Manager	Present
Richard A. Bull	City Clerk	Present

APPROVAL OF MINUTES

Approve the minutes of the previous City Council meeting.

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, 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.

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, 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, to Amend Sections 4.2.3 and 4.3.3 of the Norfolk Zoning Ordinance to Make Technical Revisions to Regulations for Short-Term Rental Uses.

An Ordinance to Amend Sections 4.2.3 and 4.3.3 of the Norfolk Zoning Ordinance to Make Technical Revisions to Regulations for Short-Term Rental Uses.

ACTION:	Continued Generally [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

PH-2 Public Hearing scheduled this day, pursuant to State Law, on the application of the CITY PLANNING COMMISSION, to Amend Sections 5.7.8.A and 5.7.8.E of the Norfolk Zoning Ordinance to Allow for the Relocation of a Nonconforming Billboard to a New Location on the Same Zoning Lot when Authorized by a Conditional Use Permit.

An Ordinance to Amend Sections 5.7.8.A and 5.7.8.E of the Norfolk Zoning Ordinance to Allow for the Relocation of a Nonconforming Billboard to a New Location on the Same Zoning Lot when Authorized by a Conditional Use Permit.
- **(Ordinance No. 49547)**

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

PH-3 Public Hearing scheduled this day, pursuant to State Law, on the application of the BARRY ART MUSEUM, to Rezone Property to remove Conditions on Property Zoned Conditional C-C (Community - Commercial) District and for a conditional use permits to Authorize the Operation of a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for On Premises Consumption on Property Located at 4200 Hampton Boulevard.

An Ordinance to Rezone Property Located at 4200 Hampton Boulevard in Order to Remove Conditions on Property Zoned Conditional C-C (Community - Commercial) District. - **(Ordinance No. 49548)**

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

An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for On Premises Consumption at an Establishment Named “Barry Art Museum” on Property Located at 4200 Hampton Boulevard. - **(Ordinance No. 49549)**

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

PH-4 Public Hearing scheduled this day, pursuant to State Law, to hear comments on Authorizing the Sale and Conveyance to Castles & Cottages Construction Company LLC of that Certain Parcel of Property Located at 738 E. 28th Street in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to Castles & Cottages Construction Company LLC of that Certain Parcel of Property Located at 738 E. 28th Street in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49550)**

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

PH-5 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to R&HH Enterprise, LLC of that Certain Parcel of Property Located at 1345 Lead Street in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to R&HH Enterprise, LLC of that Certain Parcel of Property Located at 1345 Lead Street in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49551)**

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

PH-6 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to Modern Design Builders LLC of that Certain Parcel of Property Located at 1352 Lead Street in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to Modern Design Builders LLC of that Certain Parcel of Property Located at 1352 Lead Street in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49552)**

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

PH-7 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to Modern Design Builders LLC of that Certain Parcel of Property Located at 1507 Manson Street in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to Modern Design Builders LLC of that Certain Parcel of Property Located at 1507 Manson Street in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49553)**

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

PH-8 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to R&HH Enterprise, LLC of that Certain Parcel of Property Located at 1347 Marshall Avenue in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to R&HH Enterprise, LLC of that Certain Parcel of Property Located at 1347 Marshall Avenue in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49554)**

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

PH-9 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to Jay Investment Corporation of that Certain Parcel of Property Located at 1400 Marshall Avenue in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to Jay Investment Corporation of that Certain Parcel of Property Located at 1400 Marshall Avenue in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49555)**

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

PH-10 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to Big Squirrel, LLC of that Certain Parcel of Property Located at 1511 Selden Avenue in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to Big Squirrel, LLC of that Certain Parcel of Property Located at 1511 Selden Avenue in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49556)**

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

PH-11 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Sale and Conveyance to Getting It Done Construction, LLC of that Certain Parcel of Property Located at 934 Pollard Street in Accordance with the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Sale and Conveyance to Getting It Done Construction, LLC of that Certain Parcel of Property Located at 934 Pollard Street in Accordance With the Terms and Conditions of the City's Online Real Estate Auction and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 49557)**

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

PH-12 Public Hearing scheduled this day, pursuant to State Law, to hear comments Amending Ordinance No. 49,223 to Accept and Appropriate Additional Grant Funds in the Amount of \$14,374,488 for Grant Funds Totaling \$80,990,335 to The School Board of The City of Norfolk for Grants, Other Special Programs, and The School Nutrition Services Program and Authorizing the Expenditure of the Funds in Fiscal Year 2024 for Norfolk Public Schools.

An Ordinance Amending Ordinance No. 49,223 To Accept And Appropriate Additional Grant Funds In The Amount Of \$14,374,488 For Grant Funds Totaling \$80,990,335 To The School Board Of The City Of Norfolk For Grants, Other Special Programs, And The School Nutrition Services Program And Authorizing The Expenditure Of The Funds In Fiscal Year 2024 For Norfolk Public Schools. - **(Ordinance No. 49558)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, 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 a Development Certificate, With Waivers, to Permit Enhancements to the Cruise Ship Terminal on Property Located at 1 Waterside Drive. - **(Ordinance No. 49559)**

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

C-2 An Ordinance Granting a Conditional Use Permit Authorizing the Relocation of an Existing, Nonconforming Billboard on the Same Zoning Lot, Located at 4606 Colley Avenue. - **(Ordinance No. 49560)**

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

C-3 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant with Live Entertainment and the Sale of Alcoholic Beverages for On-Premises Consumption Named “Boil Bay Seafood City” on Property Located at 5957 East Virginia Beach Boulevard, Suite 4.

\ACTION:	Continued Generally [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

C-4 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Tattoo Parlor Named “Artkitec Studios” on Property Located at 5718 Sellger Drive. - **(Ordinance No. 49561)**

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

C-5 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 902 West Ocean View Avenue. - **(Ordinance No. 49562)**

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

C-6 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 9633 19th Bay Street. - **(Ordinance No. 49563)**

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

C-7 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9415 Atlans Street. - **(Ordinance No. 49564)**

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

C-8 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) named "Triple A On The Bay" on Property Located at 9615 17th Bay Street. - **(Ordinance No. 49565)**

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

C-9 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9287 1st View Street. - **(Ordinance No. 49566)**

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

C-10 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 570 West Ocean View Avenue. - **(Ordinance No. 49567)**

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

C-11 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 900 West Ocean View Avenue. - **(Ordinance No. 49568)**

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

C-12 An Ordinance Approving a Right of Entry from Norfolk Redevelopment and Housing Authority to the City of Norfolk Over That Certain Parcel of Real Property Designated as Block G and Located at the Southeast Corner of E. Charlotte Street and Walke Street in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Right of Entry on Behalf of the City of Norfolk. - **(Ordinance No. 49569)**

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

C-13 An Ordinance Permitting CH Office, LLC to Encroach into the Rights-of-Way of Granby Street and 21st Street Near 2014 Granby Street with Awnings. - **(Ordinance No. 49570)**

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

C-14 An Ordinance Approving a Right of Entry Agreement Between the City of Norfolk and First Baptist Church of Norfolk, Inc. for Use of the Parking Lot Located at 698 Saint Paul's Boulevard on Various Dates for a Community Farmers Market, and Authorizing the City Manager to Execute the Right of Entry on Behalf of the City. - **(Ordinance No. 49571)**

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr.,
Thomas Jr., Alexander

C-15

An Ordinance directing the City Treasurer to issue a refund to CMA CGM (America) LLC based upon the overpayment of its Business Tangible Property Tax for the Tax Years 2020, 2021, 2022 and 2023. - **(Ordinance No. 49572)**

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr.,
Thomas Jr., Alexander

C-16

An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Retail Goods Establishment with More than 50,000 Square Feet of Floor Area and to Permit Alternative Signage on Property Located at 201 and 217 East Little Creek Road. - **(Ordinance No. 49573)**

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr.,
Thomas Jr., Alexander

REGULAR AGENDA

R-1

An Ordinance Granting a Conditional Use Permit to Authorize Alternative Signage on Property Located at 705 Lesner Avenue. - **(Ordinance No. 49574)**

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr.,
Thomas Jr., Alexander

R-2 An Ordinance Authorizing the Dedication of Certain City-Owned Property Located at 6525 Hampton Boulevard as Open Space. - (**Ordinance No. 49575**)

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

R-3 Letter requesting the appointment of Gia M. Freeman to the position of Deputy City Clerk/Administrative Analyst I, City Council Liaison - effective April 22, 2024, in Plan 1, Grade 14 of the City Compensation Plan, subject to your confirmation, to serve at the pleasure of the City Clerk.

ACTION:	Appointment Confirmed [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander