

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, DECEMBER 13, 2022 – 7:00 P.M.

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	
Paul R. Riddick	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	Present	
Kenneth Cooper Alexander	Mayor	Present	

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, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

PUBLIC HEARINGS

PH-1 Public Hearing scheduled this day, pursuant to State Law, to hear comment on an Ordinance Approving a First Amendment to Stadium Lease Agreement Between the City of Norfolk, as Lessor, and Tides Baseball Club, L. P., as Lessee, for its Lease of the Premises Known as Harbor Park Stadium Located at 150 Park Avenue in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the First Amendment to Stadium Lease Agreement on Behalf of the City of Norfolk.

An Ordinance Approving a First Amendment to Stadium Lease Agreement Between the City of Norfolk, as Lessor, and Tides Baseball Club, L. P., as Lessee, for its Lease of the Premises Known as Harbor Park Stadium Located at 150 Park Avenue in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the First Amendment to Stadium Lease Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 49014)**

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

PH-2 Public Hearing scheduled this day, pursuant to the State Law, to hear comment on an Ordinance Approving a Sublease Agreement Between the City of Norfolk and The American Legion for Property Located at 1445 Roberts Road and Authorizing the City Manager to Execute the Sublease Agreement on Behalf of the City.

An Ordinance Approving a Sublease Agreement Between the City of Norfolk and The American Legion for Property Located at 1445 Roberts Road and Authorizing the City Manager to Execute the Sublease Agreement on Behalf of the City. - **(Ordinance No. 49015)**

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

PH-3 Public Hearing scheduled this day, pursuant to State Law, on the application of NORFOLK STATE UNIVERSITY, for a change of zoning from MF-NS (Multi Family – Neighborhood Scale) district to Conditional IN-C (Institutional - Campus) at 805 Park Avenue.

An Ordinance to Rezone Property Located at 805 Park Avenue from MF-NS (Multi-Family - Neighborhood Scale) District to conditional IN-C (Institutional - Campus) District. - **(Ordinance No. 49016)**

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

PH-4 Public Hearing scheduled this day, pursuant to State Law, on the application of the CITY PLANNING COMMISSION, for a zoning text amendment to the Norfolk Zoning Ordinance to allow a Vendor Park in the I-L (Industrial-Light) and I-G (Industrial-General) district and to create Performance Standards.

An Ordinance to Amend Section 4.2.3.F(6) and Various Tables of the Norfolk Zoning Ordinance so as to Update Performance Standards for the Use Called “Vendor Park,” to Change the Name to “Vendor Park, Food,” and to Permit the Use in all Commercial Districts, in all Downtown Districts, in the I-L and I-G Industrial Districts, and in the TOD-C and G-1 Special Purpose Districts. - **(Ordinance No. 49017)**

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

PH-5 Public Hearing scheduled this day, pursuant to State Law, on the applications of BRINSHORE DEVELOPMENT, LLC, for a Change of Zoning from MF-NS (Multi Family – Neighborhood Scale) district to D-SP (Downtown – Saint Paul’s) district for the properties known as Blocks, 2, 3A, 3B, 4, 5, 6, and 11 on the plan for the Saint Paul's Redevelopment.

An Ordinance to Rezone Certain Properties in the Saint Paul’s Area from MF-NS (Multi-Family - Neighborhood Scale) district to D-SP (Downtown - Saint Paul’s) District. - **(Ordinance No. 49018)**

Carl Poole, 1049 W. 49th Street, spoke in opposition to this matter.

Monet Johnson, 3505 Argonne Avenue, spoke in opposition to this matter.

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Riddick, 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 Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property Addressed as 450 Walke Street Located on the Southeast Corner of the Intersection of Holt Street and Reilly Street. - **(Ordinance No. 49019)**

Carl Poole, 1049 W. 49th Street, spoke in opposition to this matter.

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

- C-2** An Ordinance Granting a Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property Addressed as 450 Walke Street Located on the Southwest Corner of the Intersection of Holt Street and Mariner Street. - **(Ordinance No. 49020)**

Monet Johnson, 3505 Argonne Avenue, had questions relative to this matter.

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

- C-3** An Ordinance Granting a Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property Addressed as 450 Walke Street Located Northwest Corner of the Intersection of Holt Street and Mariner Street. - **(Ordinance No. 49021)**

Javon Bennett, 1342 Reservoir Avenue, had questions regarding this matter.

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

- C-4** An Ordinance Granting a Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property Addressed as 450 Walke Street Located on the Northeast Corner of the Intersection of Holt Street and Reilly Street. - **(Ordinance No. 49022)**

Monet Johnson, 3505 Argonne Avenue, had questions relative to this matter.

Carl Poole, 1049 W. 49th Street, spoke in opposition to this matter.

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

- C-5 An Ordinance Granting a Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property located at Addressed as 450 Walke Street Located Southwest Corner of the Intersection of Mariner Street and Reilly Street. - **(Ordinance No. 49023)**

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

- C-6 An Ordinance Granting a Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property Addressed as 201, 309 and 317 Chapel Street Located on the Southeast Corner of the Intersection of Mariner Street and Fenchurch Street. - **(Ordinance No. 49024)**

Javon Bennett, 1342 Reservoir Avenue, had questions regarding this matter.

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

- C-7 An Ordinance Granting a Conditional Use Permit to Authorize Multi-Family Dwellings on a Portion of the Property Addressed as 979 East Charlotte Street Located on the Southwest Corner of the Intersection of Charlotte Street and Walke Street. - **(Ordinance No. 49025)**

Carl Poole, 1049 W. 49th Street, spoke in opposition to this matter.

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

- C-8** An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant Operating Until Midnight with On-Premises Alcoholic Beverages Sales and Live Entertainment Named “District Apizza” on Property Located at 2411 Granby Street. - **(Ordinance No. 49026)**

Matt Albano, 2411 Granby Street, was present to answer any questions relative to this matter.

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

- C-9** An Ordinance Authorizing the Acceptance of a Permanent Traffic Utility Easement Over Property Located at 2204 Hampton Boulevard Authorizing the City Manager to Accept a Deed of Easement on Behalf of the City; and Authorizing the Expenditure of the Sum of Up to \$2,976.00 From Funds Heretofore Appropriated for Acquisition of the Easement and For All Related Transactional Costs. - **(Ordinance No. 49027)**

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

- C-10** An Ordinance Authorizing the Acceptance Permanent Traffic Utility Easement Over Property Located at 2201 Hampton Boulevard Authorizing the City Manager to Accept a Deed of Easement on Behalf of the City; and Authorizing the Expenditure of the Sum of Up to \$974.00 From Funds Heretofore Appropriated for Acquisition of the Easements and For All Related Transactional Costs. - **(Ordinance No. 49028)**

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

- C-11** An Ordinance Authorizing the Acceptance of a Permanent Traffic Utility Easement Over Property Located at 2115 Hampton Boulevard Authorizing the City Manager to Accept a Deed of Easement on Behalf of the City; and Authorizing the Expenditure of the Sum of Up to \$2,755.00 From Funds Heretofore Appropriated for Acquisition of the Easement and For All Related Transactional Costs. - **(Ordinance No. 49029)**

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

- C-12** An Ordinance Authorizing the Acceptance of a Temporary Construction and a Permanent Traffic Utility Easement Over Property Located at 963 Azalea Court; Authorizing the City Manager to Accept a Deed of Easement on Behalf of the City; and Authorizing the Expenditure of the Sum of Up to \$2,018.00 From Funds Heretofore Appropriated for Acquisition of the Easements and For All Related Transactional Costs. - **(Ordinance No. 49030)**

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

REGULAR AGENDA

- R-1** An Ordinance Suspending Certain Provisions of Section 2-49, 2-49.1 and 2-54 of the Norfolk City Code Pertaining to Maximum Caps on Annual Leave Accrual for the Period of December 31, 2022 Through December 31, 2023. - **(Ordinance No. 49031)**

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

R-2

An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Nightclub Named “Caia” on Property Located at 727 Granby Street.

Stephen Heretick, attorney for the applicant, 715 Loudoun Avenue, Portsmouth, spoke in support of this matter.

Mike Joynes, attorney for the applicant, 502 Viking Drive, Suite 201, Virginia Beach, spoke in support of this matter.

Clarence Reynolds, the applicant, 237 Granby Street, was present to answer any questions this matter.

ACTION:	Motion Lost [2 to 6]
AYES:	Riddick and Royster
NAYS:	Doyle, Johnson, McClellan, Smigiel Jr., Thomas Jr., Alexander

R-3

An Ordinance Granting a Conditional Use Permit to Authorize the Construction of new Multi-Family Dwelling Building on Property Located at 4231 East Little Creek Road. - **(Ordinance No. 49032)**

Nick Jacovides, 1439 N. Great Neck Road, Suite 201, Virginia Beach, was present to answer any questions relative to this matter.

Angel Castillo, Jr., 3545 Heutte Drive, spoke in favor of this matter.

Marcia Mock, 7710 Parktown Road, spoke in favor of this matter.

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

- R-4** An Ordinance Granting a Conditional Use Permit to Authorize a Large-Scale Drive-through Facility on Property located at 4037 East Little Creek Road in the East Beach Market Place Shopping Center. - **(Ordinance No. 49033)**

Nick Jacovides, 1439 N. Great Neck Road, Suite 201, Virginia Beach, was present to answer any questions relative to this matter.

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

- R-5** An Ordinance Approving an Assignment of Note, Deed of Trust and Loan Documents. - **(Ordinance No. 49034)**

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

- R-6** An Ordinance Amending and Reordaining Chapter 2 of the Norfolk City Code, 1979, as Amended, to Add One New Section Numbered 2-54.5 Creating the Dependent Care Assistance Program. - **(Ordinance No. 49035)**

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

- R-7** A Resolution Appointing and Reappointing 27 Members to 9 Commissions, 4 Boards, and 1 Authority for Certain Terms - **(Resolution No. 1881)**

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

CEREMONIAL MATTER

Mayor Alexander presented Councilman Paul R. Riddick with the following Resolution:

WHEREAS, Paul R. Riddick served as a member of the Norfolk City Council from July 1, 1992 until December 31, 2022 and as Vice Mayor from 1994 to 1996; and

WHEREAS, during his tenure in office he represented the citizens of Norfolk and the residents of Ward 4 with high honor and great distinction, making numerous and important contributions to the progress of the city; and

WHEREAS, among them were the Mayor's Advisory Committee for the St. Paul's area, Southeastern Tidewater Opportunity Project Inc., (STOP), the Board of the Transportation District Commission of Hampton Roads, Southside Task Force, and Church Street/Huntersville Development Committee; and

WHEREAS, in addition to the impact he has made on the Norfolk City Council, he also served as president of the Norfolk branch of the NAACP, and is currently a member of the Eastern Light 04 Masonic Lodge, Prince Hall Mason, Alpha and Omega Consistory Number 9, Norfolk Funeral Directors and Embalmers Association, the Virginia Morticians Association, the Tux Club, and Hiawatha Social and Beneficial Association; and

WHEREAS, he helped establish a burial section in Forest Lawn Cemetery for the Islamic Community and the Second Chances Program. He was also responsible for bike racks on HRT buses, Horace C. Downing Library, Southside Aquatics Center, and Richard A. Tucker Memorial Library; and

WHEREAS, Mr. Riddick currently serves as president of Riddick Funeral Services, and is a long-standing faithful member of Grace Episcopal Church; and

WHEREAS, Mr. Riddick was recognized as a Citizen of the Year by Lambda Omega Chapter of Omega Psi Phi Fraternity and was honored as a Citizen of Tomorrow by Zeta Phi Beta Sorority.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Norfolk hereby extends deep thanks and appreciation to Paul R. Riddick for more than 30 years of dedicated and selfless service to the City and its citizens; and

BE IT FURTHER RESOLVED that this Resolution be recorded in the permanent proceedings of Council and a copy thereof be presented to Paul R. Riddick.

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

NEW BUSINESS

Tanterrian Taylor, 5920 Poplar Hall Drive, spoke regarding abolishing the Norfolk Redevelopment and Housing Authority.

Ann Creasy, 1217 Colonial Avenue, spoke regarding coal dust pollution in Lambert's Point.

Sauda Speede, 8600 Glen Myrtle Avenue, spoke regarding various community safety issues.

Monet Johnson, 3505 Argonne Avenue, spoke regarding coal dust pollution in Lambert's Point.

Carl Poole, 1049 W. 49th Street, spoke regarding coal dust pollution in Lambert's Point.

Hunter Noffsinger, 801 Boush Street, spoke regarding coal dust pollution in Lambert's Point.

Javon Bennett, 1342 Reservoir Avenue, spoke regarding the development of the Lambert's Point area.

Patricia Richardson, 3182 N. Stonebridge Drive, offered congratulations to Councilman Riddick for his service on City Council.

December 13, 2022

Amina Matheny-Willard, 999 Waterside Drive, spoke regarding her client, Michael Muhammad.

Michael Muhammad, 208 E. Plume Street, Suite 212, offered congratulations to Councilman Riddick.

ADJOURNMENT