



CITY COUNCIL AGENDA

Tuesday, May 23, 2023 - 7:00 p.m.

City Council Chamber

801 Crawford Street, 6th Floor, Portsmouth, Virginia

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ELECTRONIC ROLL CALL **6-0 Present (Councilman Barnes absent)**

MINUTES (Electronic Roll Call) **Adopted 6-0**

CITY COUNCIL RULES REQUIRE A LIMIT OF UP TO FIVE (5) MINUTES TO SPEAK

PUBLIC HEARINGS

23 - 176 - Public hearing on use permit and rezoning applications:

- (a) **UP-23-02** **CARNEY FARM** - Resolution granting the request of Nicole Clay, with Deep Creek Academy, for a Use Permit to operate a child day center on approximately 6.5 acres located at 4710 High Street West in the General Residential (GR) zoning district. The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates this property for Institutional/Public use. The property is owned by Fred Riley and other Trustees. Planning Commission recommends approval with conditions. (Electronic Roll Call)
- Adopted 6-0**
- (b) **UP-23-03** **WEST NORFOLK** - Resolution granting the request of James Stevens, with PortRail Crane Service, for a Use Permit to operate a shipping container storage yard on approximately 1.4 combined acres located at 3301 Mariner Avenue, 3300 West Norfolk Road, 3324 West Norfolk Road, and 3303 Broadway Street in the Light Industrial (IL) zoning district. The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates this property for Light Industrial use. The property is owned by Roger and Glenna Woodington. Planning Commission recommends approval with conditions. (Electronic Roll Call)
- Adopted 6-0**
- (c) **Z-23-02** **WOODBINE** - Ordinance granting the request of Scott Campbell, AIA, of VIA Design Architects, to rezone approximately 4.92 acres at 5311, 5315, 5319 High Street, and 3107 Honeysuckle Lane from General Residential (GR) to Multi-Family Urban Residential (UR-M) in order to develop a three-story 42-unit senior living multi-family dwelling development. The applicant is concurrently requesting a Use Permit for a multi-family dwelling (UP-23-04). The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates this property for Single-Family Residential – Low/Medium Density. The properties are owned by Portsmouth Redevelopment and Housing Authority (PRHA). Planning Commission recommends denial. (Electronic Roll Call)
- Deferred 6-0
June 13, 2023**

- (d) **UP-23-04** **WOODBINE** - Resolution granting the request of Scott Campbell, AIA, of VIA Design Architects, for a Use Permit for a three-story, 42-unit senior living multi-family dwelling on approximately 4.92 acres at 5311, 5315, 5319 High Street, and 3107 Honeysuckle Lane with a proposed density of 8.5 dwelling units per acre. The property is currently zoned General Residential, GR. The applicant is concurrently requesting a Rezoning of the property to Multi-Family Urban Residential, UR-M (Z-23-02). The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates this property for Single-Family Residential – Low/Medium Density. The properties are owned by Portsmouth Redevelopment and Housing Authority (PRHA). Planning Commission recommends denial. (Electronic Roll Call)
- Deferred 6-0**
June 13, 2023
- (e) **UP-23-05** **UPTOWN** - Resolution granting the request of Alvin Keels, of D&K Builders, to amend the existing UP-21-09 Use Permit for a 52-unit townhouse development on approximately 4.1 acres of land located at 1107 and 1021 High Street in the Neighborhood Mixed-Use (NMU) zoning district with a proposed density of 12.65 dwelling units per acre. The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates this area as a Mixed-Use Corridor. The properties are owned by the Portsmouth Economic Development Authority. Planning Commission recommends approval with conditions. (Electronic Roll Call)
- Adopted 6-0**

UNFINISHED BUSINESS

23 - 124 - Code amendment:

- (a) **CA-22-01** **CITYWIDE** - Ordinance granting the City of Portsmouth a request to amend and reordain Chapter 40.2 of the Code of the City of Portsmouth, Virginia (zoning ordinance) by making targeted modifications related to downtown subdistricts, uses and use-specific requirements, area, bulk, density, building, and setback regulations, off-street and bicycle parking, driveways, resilient building features, and landscaping, screening, lighting and signage regulations, together with certain technical amendments to comply with the Virginia Code and improve administrative efficiency. Deferred from the April 11, 2023, City Council Meeting. (Electronic Roll Call)
- Adopted 5-1**
Whitaker

CITY MANAGER'S REPORT

- 23-177** Adoption of an ordinance accepting \$0.50 of Community Development Block Grant program income and \$29,895 of HOME Investment Partnerships program income and appropriating said amounts in the FY 2023 Community Planning and Development Program Fund. (Electronic Roll Call)
- Adopted 6-0**
- 23-178** Adoption of an ordinance accepting class action settlement funds in the amount of \$22,414.03 from the City of Long Beach, et al. v. Monsanto Company, et al. class action PCB litigation and: (1) appropriating said amount in the FY 2023 Stormwater Fund Budget; and (2) transferring said amount to the VSMP Permit Compliance Project in the FY 2023 Capital Improvement Fund Budget. (Electronic Roll Call)
- Adopted 6-0**
- 23-179** Adoption an ordinance accepting grant funding in the amount of \$5,370,352 and appropriating said amount into the FY 2023 Portsmouth Public Schools Grants Fund Budget. (Electronic Roll Call)
- Adopted 6-0**

- 23-180** Adoption of an ordinance: (1) accepting Flood Mitigation Assistance Grant funding in the amount of \$225,000 from the Virginia Department of Emergency Management and appropriating said amount in the FY 2023 Grants Fund; and (2) transferring \$75,000 from the FY 2023 Stormwater Fund Budget to the Drainage and Street Improvements Category of the FY 2023 Capital Improvement Fund Budget and then to the FY 2023 Grants Fund Budget to serve as the required local match. (Electronic Roll Call)

Adopted 6-0
- 23-181** Adoption of an ordinance accepting Developmental Disability Residential Support funds in the amount of \$9,240 from the Virginia Department of Behavioral Health and Developmental Services and appropriating said amount in the FY 2023 Behavioral Healthcare Service Fund Budget to provide support for individuals diagnosed with intellectual or developmental disabilities. (Electronic Roll Call)

Adopted 6-0
- 23-182** Adoption of an ordinance accepting Transitional Housing Program Services funding in the amount of \$389,327.47 from the Virginia Department of Behavioral Health and Developmental Services and appropriating said amount in the FY 2023 Behavioral Healthcare Service Fund Budget for use by BHS to provide transitional services for individuals with severe mental illness or substance use or other disorders. (Electronic Roll Call)

Adopted 6-0
- 23-183** Adoption of an ordinance accepting with appreciation a donation of \$100 to the Department of Social Services from the National Drifters, Incorporated and appropriating said funds to the FY 2023 Social Services Fund for use by the Department of Social Services for the Food Pantry. (Electronic Roll Call)

Adopted 6-0
- 23-184** Adoption of an ordinance accepting funding in the amount of \$12,500 from the Virginia Department of Social Services and appropriating said amount in the FY 2023 Social Services Fund Budget for use by the Department of Social Services to address issues related to high acuity children in foster care. (Electronic Roll Call)

Adopted 6-0
- 23-185** Adoption of an ordinance accepting overtime funding in the amount of \$223,025 from the Virginia Department of Social Services and appropriating said amount in the FY 2023 Social Services Fund Budget for the processing of Medicaid and Child Care cases. (Electronic Roll Call)

Adopted 6-0
- 23-186** Adoption of a resolution authorizing the City Manager to approve a change order totaling more than 25% of the contract price of the construction contract with Conrad Brothers, Inc. for exterior renovations and HVAC improvements to the Elm Avenue Neighborhood Facility. (Electronic Roll Call)

**Adopted 5-1
Whitaker**
- 23-187** Adoption of a resolution authorizing the grant of a variable width utility easement to Virginia Electric and Power Company across a portion of Tax Parcel 0587-0010 at Manor High School. (Electronic Roll Call)

Adopted 6-0

NEW BUSINESS

- 23-188** Boards and Commissions (Electronic Roll Call) **Adopted 6-0**
- 23-189** Items Submitted by Council Members
- 23-190** Report on Pending Items
- 23-191** Non-Agenda Speakers

ADJOURNMENT

VIEW THE MEETING LIVE AT: WWW.PORTSMOUTHVA.GOV/PORTSMOUTH-LIVE

ALL CITY MEETINGS ARE REBROADCAST ON: WWW.YOUTUBE.COM/VAPORTSMOUTH
AND ON PCTV COX 48 OR VERIZON FIOS 39.

CITIZENS MAY SIGN UP TO SPEAK FOR THE CITY COUNCIL MEETING BEGINNING MAY 17, 2023, AND ENDING ON MAY 23, 2023:

1. BY EMAIL AT WHITED@PORTSMOUTHVA.GOV BETWEEN 8 AM AND 5 PM.
2. BY PHONE – 393-8639 BETWEEN 8 AM AND 5 PM.
3. IN PERSON BETWEEN 8 AM – 5 PM. (SIGN UP IN PERSON UNTIL 6:30 PM ON DAY OF THE MEETING).

REGISTRATION CARDS WILL NOT BE ACCEPTED AFTER 6:30 PM.