



CITY COUNCIL AGENDA

Tuesday, September 8, 2020 - 5:00 p.m.

Virtual Meeting

Portsmouth, Virginia (Facebook Live)

CALL TO ORDER

ROLL CALL **7-0 Present**

MINUTES (Roll Call) **Adopted 7-0**

PUBLIC HEARING

20-197 Virtual public hearing with respect to the adoption of a proposed resolution to form the Portsmouth Community Broadband Network Authority, an authority under the Virginia Wireless Service Authorities Act. The purpose of the Authority would be to increase quality and availability of broadband internet service in the City of Portsmouth. The Authority would be governed by a seven-member board of directors. The initial members of the board of directors would be the current sitting city councilors.

20 - 198 - Public hearing on rezoning, use permit, and code amendment applications:

(a) Z-20-03

Approved 7-0

CHURCHLAND – Daniel Heatwole, of Ripley Heatwole Company, requests to rezone approximately 10.34 acres at 5601 High Street from General Mixed-Use Conditional (GMU-K) to High Intensity Mixed-Use (MU-H) in order to construct a 192-unit multi-family apartment community. Mr. Heatwole also requests to rezone approximately 2.16 acres at 3109 Tyre Neck Road from General Mixed-Use (GMU) to Urban Residential – High (UR-H) in order to construct a 40-unit multi-family apartment complex. The applicant is concurrently requesting a Use Permit for the multi-family use (UP-20-04). The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates both properties for commercial use. The property at 5601 High Street is owned by Victory Sterling Creek Commons, LLC c/o Victory Real Estate. The property at 3109 Tyre Neck Road is owned by William. Planning Commission recommends approval. (Roll Call Vote)

(b) UP-20-04

Approved 7-0

CHURCHLAND – Daniel Heatwole, of Ripley Heatwole Company, requests a Use Permit to construct a 192-unit multi-family apartment community on approximately 10.34 acres at a density of 18.59 units per acre located at 5601 High Street and a 40-unit multi-family apartment community on approximately 2.16 acres at a density of 18.52 units per acre located at 3109 Tyre Neck Road. 5601 High Street is zoned General Mixed-Use Conditional (GMU-K) and 3109 Tyre Neck Road is zoned General Mixed-Use (GMU). The applicant is concurrently requesting to rezone both properties (Z-20-03). The Build One Portsmouth Comprehensive Plan's Future Land Use Map designates both properties for commercial use. The property at 5601 High Street is owned by Victory Sterling Creek Commons, LLC c/o Victory Real Estate. The property at 3109 Tyre Neck Road is owned by William Copeland. Planning Commission recommends approval. (Roll Call Vote)

- (c) Z-20-02 **FORREST PARK** – Jamie Faircloth requests a Rezoning of 801 Commerce Street. The property is zoned Urban Residential, UR. The applicant proposes to rezone the property to Industrial, IL to construct a parking lot in support of a commercial business located to the immediate south at 804 Douglas Avenue. The Comprehensive Plan recommends high density residential development for the property. Planning Commission recommends approval. (Roll Call Vote)
- Approved 7-0**
- (d) CA-20-01 **CITY** - The City of Portsmouth is proposing to amend City Code Ch. 40.1 Zoning Ordinance to add “casino gaming establishment” to Sec. 40.1-8.3 Definitions, to modify Table 40.1-4.1(A) Use Table to permit a “casino gaming establishment” by Use Permit, and to establish a new Sec. 40.1-3.7 (D) Entertainment Overlay District to authorize the creation of an entertainment overlay district. (Roll Call Vote)
- Approved 7-0**

CITY MANAGER’S REPORT

- 20-199** Adoption of an ordinance accepting \$185,555.52 of Community Development Block Grant Program Income and appropriating said amounts in the FY 2021 Community Planning and Development Program Fund. (Roll Call Vote)
- Adopted 7-0**
- 20-200** Adoption of an ordinance accepting additional CARES Act funding in the amount of \$8,235,862 from the Commonwealth of Virginia and appropriating said amount in the FY 2021 Grants Fund for use by the City in accordance with the Act. (Roll Call Vote)
- Adopted 7-0**
- 20-201** Adoption of an ordinance to accepting the amount of \$30,000 from the Chesapeake Bay Trust for its Green Streets, Green Jobs, Green Towns Grant Program and appropriating the said amount in the FY2021 Stormwater CIP Fund. (Roll Call Vote)
- Adopted 7-0**
- 20-202** Adoption of an ordinance to accepting the amount of \$1,622,852.08 from the USDA for the Non-Congregate Grab-N-Go Summer Food Service Program Grant, and appropriating the said amount into the FY 2021 Grants Fund for use by the Department of Parks, Recreation, and Tourism. (Roll Call Vote)
- Adopted 7-0**
- 20-203** Adoption of an ordinance accepting WanderLOVE grant funds in the amount of \$10,000 from the Virginia Tourism Corporation and appropriating said amount in the FY 2021 Grants Fund Budget for use by the Department of Parks, Recreation, and Tourism. (Roll Call Vote)
- Adopted 7-0**
- 20-204** Adoption of an ordinance accepting Virginia Homeless Solution Program grant funds in the amount of \$10,000 from the Department of Housing and Community Development and appropriating said amount in the FY 2021 Grants Fund for use by the Department of Social Services for Portsmouth Continuum of Care planning activities. (Roll Call Vote)
- Adopted 7-0**
- 20-205** Adoption of an ordinance accepting additional Rent and Mortgage Relief Program funds in the amount of \$450,000 from the Virginia Department of Housing and Community Development and appropriating said funds to the FY 2021 Grants Fund for use by the Department of Social Services to provide rent and mortgage relief payments. (Roll Call Vote)
- Adopted 7-0**
- 20-206** Adoption of an ordinance accepting Radiological Emergency Preparedness Program funds in the amount of \$700 from the Virginia Department of Emergency Management and appropriating said amount into the FY 2021 Grants Fund for use by the Department of Fire, Rescue and Emergency Services. (Roll Call Vote)
- Adopted 7-0**

- 20-207** Adoption of an ordinance accepting Local Emergency Management Program grant funds in the amount of \$57,992 from the Virginia Department of Emergency Management and appropriating said amount in the FY 2021 Grants Fund for use by the Department of Fire, Rescue and Emergency Services. (Roll Call Vote)
Adopted 7-0
- 20-208** Adoption of an ordinance accepting \$22,590.90 of Federal Asset Forfeiture funds received from the United States Drug Enforcement Administration and appropriating said amount in the FY 2021 Sheriff's Asset Forfeiture Fund for use by the Portsmouth Sheriff's Office. (Roll Call Vote)
Adopted 7-0
- 20-209** Adoption of an ordinance to accept \$91,523.26 received via the Circuit and General District Courts and to appropriate said amount in the FY 2021 General Fund Budget for use by the Portsmouth Sheriff's Office for items needed to support the Training Academy. (Roll Call Vote)
Adopted 7-0
- 20-210** Adoption of an ordinance to re-appropriate unexpended funds in the amount of \$430,608 from the FY 2020 Portsmouth Public Schools Grants Fund Budget to the FY 2021 Portsmouth Public Schools Grants Fund Budget. (Roll Call Vote)
Adopted 7-0
- 20-211** Adoption of an ordinance to re-appropriate unexpended funds in the amount of \$627,178 from the FY 2020 Textbook Fund Budget for the Portsmouth Public Schools to the FY 2021 Textbook Fund Budget for the Portsmouth Public Schools. (Roll Call Vote)
Adopted 7-0
- 20-212** Adoption of an ordinance to re-appropriate unexpended funds in the amount of \$2,805,011 from the FY 2020 Portsmouth Public Schools General Fund Budget to the FY 2021 Portsmouth Public Schools General Fund Budget. (Roll Call Vote)
Adopted 7-0
- 20-213** Adoption of a resolution forming the Portsmouth Community Broadband Network Authority. (Roll Call Vote)
Adopted 7-0

NEW BUSINESS

- 20-214** Items Submitted by Council Members
Adopted 7-0
- Adoption of a resolution confirming a Declaration of Local Emergency due to the threat of hurricane Isaias impacting Portsmouth, Virginia. (Roll Call Vote)

ADJOURNMENT

CITY COUNCIL MEETINGS ARE BROADCAST ON PCTV AND AVAILABLE ON THE INTERNET AT WWW.PORTSMOUTHVA.GOV.

CITIZENS MAY PROVIDE COMMENTS FOR THE CITY COUNCIL MEETING BEGINNING SEPTEMBER 1, 2020 AND ENDING ON SEPTEMBER 7, 2020 AT 3 P.M.:

BY PHONE (335-4928) OR BY EMAIL AT COUNCIL@PORTSMOUTHVA.GOV.