



CITY COUNCIL AGENDA

Tuesday, November 24, 2020 - 7:00 p.m.

Virtual Meeting

Portsmouth, Virginia (Facebook Live)

CALL TO ORDER

ROLL CALL

7-0 Present

MINUTES (Roll Call)

Adopted 7-0

CITY COUNCIL RULES REQUIRE A LIMIT OF UP TO THREE (3) MINUTES TO SPEAK

PUBLIC HEARING

20 - 296 - Street name change, street closure, rezoning, and code amendment applications:

(a) SNC-20-02

Adopted 7-0

WEST NORFOLK - Ordinance granting the request of Trent Kelly of Lineage Logistics for a permanent street name change for a 400 ft dead-end portion of Chemical Way from its current designation to the name "Lineage Way" in support of the planned Lineage Logistics facility at 3200 Chemical Way. The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates the property as Heavy Industrial. The property is public right-of-way owned by the City of Portsmouth. Planning Commission recommends approval. (Roll Call Vote)

(b) S-20-01

Adopted 7-0

VICTORY VILLAGE - Ordinance granting the request of the Portsmouth Economic Development Authority for the closure of Village Way and a portion of Corporate Drive northwest of Freedom Drive as part of the proposed Rivers Casino Portsmouth development located between McLean Street and Victory Boulevard. The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates the property for Mixed-Use Employment. The property is right-of-way owned by the City of Portsmouth. Planning Commission recommends approval with conditions. (Roll Call Vote)

(c) Z-20-07

Approved 7-0

VICTORY VILLAGE - Stephen R. Romine, on behalf of the Economic Development Authority, is requesting to rezone approximately 50.523 acres at 3560 Victory Blvd, 0 Campus Dr., 0 Victory Blvd., 0 Village Way., 111 Campus Dr., 0 Freedom Ave., 271 Freedom Ave., 175 Freedom Ave., and 3606 Victory Blvd. from Mixed-Use Employment Center (MX/EMP) to High Intensity Mixed-Use (MU-H) for eventual use as an entertainment overlay district and casino gaming establishment. The Future Land Use Map of the *Build One Portsmouth* Comprehensive Plan designates this property for mixed-use employment. The property is owned by the Economic Development Authority. Planning Commission recommends approval. (Roll Call Vote)

- (d) **Z-20-06** **DOWNTOWN** - Jim Bento, of Fairlead Integrated, is requesting to rezone approximately 2.4 acres located at 0 Harbor Center Court from Downtown D1 T6 sub-district to Conditional Industrial (IN-K) in order to expand the adjacent ship manufacturing and repair facility. The Future Land Use Map of the Build One Portsmouth Comprehensive Plan designates this property for mixed-use employment. The property is owned by the Economic Development Authority. Planning Commission recommends approval with proffers. (Roll Call Vote)
- Approved 6-1**
- (e) **Z-20-08** **UPTOWN** - The City of Portsmouth is requesting to rezone approximately 250.2 acres and 541 parcels in the D2 Uptown area of the City from D2 Form-Based Code (D2 FBC) to the recommended traditional zoning districts in accordance with the D2 District Proposed New Zoning Map. The City is also proposing the D2 Innovation Overlay District to be superimposed on the new zoning districts for the D2 Uptown area. The property is designated on the Future Land Use Map in the Build One Portsmouth Comprehensive Plan as various designations including commercial, institutional/public, multi-family residential, mixed-use corridor, light industrial, and heavy industrial. The property is owned by numerous owners. Planning Commission recommend approval. (Roll Call Vote)
- Approved 7-0**
- (f) **CA-20-02** **CITYWIDE** - The City of Portsmouth is proposing to repeal City Code Ch. 40.1 Zoning Ordinance and replace it with City Code Ch. 40.2 Zoning Ordinance, which is a comprehensively rewritten Zoning Ordinance designed to improve clarity and ease of use, streamline development regulations, ease nonconforming situations, protect existing neighborhood character, ensure compatibility with the Code of Virginia, and increase consistency with the City's Comprehensive Plan. Planning Commission recommends approval. (Roll Call Vote)
- Approved 7-0**

UNFINISHED BUSINESS

20 - 272 - Use permit and rezoning:

Consent Agenda:

- (a) Resolution granting the request of Kirk Farrelly, of Capital Growth Buchalter, for a Use Permit to construct a 2,500 square feet restaurant with drive-through on a portion (Lot D) of an approximately 13.9 acre parcel located at 1817 Frederick Boulevard (Suite 3). (UP-20-05) (First Reading Vote: 7-0 Approved)
- (b) Resolution granting the request of Kirk Farrelly, of Capital Growth Buchalter, for a Use Permit to construct a 2,300 square feet restaurant with drive-through on a portion (Lot A) of an approximately 13.9 acre parcel located at 1817 Frederick Boulevard (Suite 1). (UP-20-06) (First Reading Vote: 7-0 Approved)
- (c) Resolution granting the request of Kirk Farrelly, of Capital Growth Buchalter, for a Use Permit to construct a 3,008 square feet restaurant with drive-through on a portion (Lot B) of an approximately 13.9 acre parcel located at 1817 Frederick Boulevard (Suite 2). (UP-20-08) (First Reading Vote: 7-0 Approved)

- (d) Ordinance granting the request of Kirk Farrelly, of Capital Growth Buchalter, to rezone approximately 13.9 acres at 1817 Frederick Boulevard from General Mixed-Use Conditional (GMU-K) to General Mixed-Use Conditional (GMU-K) to amend the proffers to allow a 3,200 square feet car wash as part of the Seaboard Commons retail development. (Z-20-04) (First Reading Vote: 7-0 Approved)

Final Adoption by Roll Call Vote **Adopted 7-0**

CITY MANAGER’S REPORT

20-297 Adoption of an ordinance accepting a Bulletproof Vest Partnership Program grant in the amount of \$11,355 from the U.S. Department of Justice and appropriating said funds in the FY 2021 Grants Fund Budget for use by the Portsmouth Police Department and the Portsmouth Sheriff’s Office. (Roll Call Vote)
Adopted 7-0

20-298 Adoption of an ordinance accepting an Opioid Response Prevention award in the amount of \$35,000 from the Virginia Department of Behavioral Health and Developmental Services and appropriating said funds in the FY 2021 Grants Fund for use by the Department of BHS to address opioid misuse. (Roll Call Vote)
Adopted 7-0

20-299 Adoption of an ordinance to amend and reordain Article IV of Chapter 24 of the Code of the City of Portsmouth, Virginia (Gambling) by amending Section 24-131 (Definitions) and adding new sections 24-140 and 24-141 for the purpose of authorizing the activities of licensed casino gaming establishments and licensed sports betting platforms. (Roll Call Vote)
Adopted 7-0

20-300 Adoption of a resolution certifying Rush Street Gaming LLC and its affiliate Portsmouth Gaming Holdings, LLC as the Preferred Casino Gaming Operator for the City of Portsmouth. (Roll Call Vote)
Adopted 7-0

20-301 Adoption of a resolution authorizing the City Manager to release easements and other property interests of the City of Portsmouth in furtherance of the proposed Entertainment District development. (Roll Call Vote)
Adopted 7-0

NEW BUSINESS

20-302 Boards and Commissions (Roll Call Vote) **Adopted 7-0**

20-303 Items Submitted by Council Members

20-304 Report on Pending Items

20-305 Non-Agenda Speakers

ADJOURNMENT

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

(CONT’ ON NEXT PAGE)

CITIZENS MAY PROVIDE COMMENTS FOR THE CITY COUNCIL MEETING BEGINNING NOVEMBER 17, 2020 AND ENDING ON NOVEMBER 23, 2020 AT 3 P.M.:

1. BY EMAIL AT COUNCIL@PORTSMOUTHVA.GOV
2. BY PHONE MESSAGE - 335-4928
3. BY PRE-REGISTERING TO SPEAK – 393-8639

TO PRE-REGISTER YOU ***MUST*** PROVIDE:

- Name
- Address
- Phone number
- Email address
- Agenda item(s)