



City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Council Approved Minutes - Final City Council Legislative Session

Wednesday, November 9, 2022

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Michelle T. Ferebee, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

INVOCATION - Councilwoman Eleanor Weston Brown

Councilwoman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck recognized Gwen Pointer, Deputy Coordinator of Emergency Management for the City of Hampton, who was the recipient of the 2022 Distinguished Service Award by the Virginia Floodplain Manager's Association. The Distinguished Service award is the highest award given by the association to an individual who has had a statewide impact in floodplain management. Ms. Pointer's responsibilities include managing home elevations, acquisitions, and demo-rebuild projects funded by FEMA. Mayor Tuck presented Ms. Pointer with a City coin.

Mayor Tuck also congratulated Vice Mayor Gray and Councilman Brown on their re-election to City Council and Hope Harper and Martha Mugler on their election to City Council. He also congratulated Richard Mason, Joe Kilgore and Jason Samuels on their re-election to the Hampton School Board.

CONSENT AGENDA

Clerk of Council, Katherine K. Glass, read the protocol for the consent agenda and a summary of the consent items.

Approval of the Consent Agenda

Motion made by Councilmember Hobbs, seconded by Councilmember Brown, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

1. [22-0303](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Fiscal Year 2023 Public Safety Answering Point (PSAP) Education Program Grant Awarded by Virginia Department of Emergency Management (VDEM), Virginia 911 Services Board

Attachments: [PSAP FY23 Award Letter](#)
[PSAP FY23 Guidelines](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

2. [22-0304](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant Awarded by United States Department of Justice.

Attachments: [FY2022 Byrne Grant Award](#)
[FY2022 Byrne Notice of Funding Opportunity](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

3. [22-0305](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Fiscal Year 2022 Port Security Grant Awarded by United States Department of Homeland Security (USDHS).

Attachments: [Notice of Funding Opportunity Fiscal Year 2022 PSGP](#)
[FY2022 PSGP AWARD](#)
[PSGP Match Source](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

4. [22-0314](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Maternal, Infant and Early Childhood Home Visiting Program American Rescue Plan Funding Awarded by the Commonwealth of Virginia's Department of Health to the City of Hampton, Virginia (Youth, Education, and Family Services Department, also known as Healthy Families)

Attachments: [1 YEF MIECHV ARP Grant Routing Form FY2023](#)
[2 YEF MIECHV ARP Grant Proposal Overview FY2023](#)
[3 Fully Executed MIECHV ARP 705BQ210106 Contract Renewal FY2023 City of Hampton](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

5. [22-0315](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the FY 2022 COPS Hiring Program Grant Awarded by United State Department of Justice (USDOJ), Office of Community Oriented Policing Services (COPS)

Attachments: [Award Letter](#)
[COPS Hiring - Notice of Funding Opportunity](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

6. [22-0319](#) Resolution to Amend the Fiscal Year 2023 Council Approved

Budget to Accept and Appropriate the 2023 Victim Witness Program Grant awarded by the Virginia Department of Criminal Justice Services

Attachments: [OGMS Victim Witness Grant 1029](#)
[VSU SOGA 2022-23](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

7. [22-0312](#) Approval of the minutes from the legislative session of October 12, 2022, and the work, ceremonial and legislative sessions of October 26, 2022.

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

[22-0324](#) Motion to amend the agenda to take item #12 22-0317 out of order

Mayor Tuck requested that item #12 be taken out of order to allow the citizen speaking sign up to conclude before beginning public hearings.

A motion was made by Councilmember Billy Hobbs seconded by Councilmember Steven Brown, that item #12 22-0317 be taken out of order. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

12. [22-0317](#) Approval of the City of Hampton 2023 General Assembly Legislative Priorities

Attachments: [Hampton 2023 Legislative Package](#)

The City Manager, Mary Bunting, stated that there was no presentation planned since the work session was on last month's agenda. She shared that Ed Reed, our legislative lobbyist with Two Capitols, was present to answer any questions. She indicated that Council would need to make a formal adoption so the legislative request can be submitted to the General Assembly Delegation.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Motion be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

PUBLIC HEARINGS

Ms. Glass read the protocol for public hearings.

8. [22-0289](#) Resolution Authorizing the Execution of a Lease for a 3,160 sq. ft. Portion of Land Over City Owned Property Located at 1590 Briarfield Road, LRSN: 1000275 to Crown Communication LLC, for a Power Equipment Compound and Cell Tower

Attachments: [Lease Agreement](#)
[Lease Agreement Exhibits](#)

Ms. Bunting stated that this lease agreement is satisfactory and in keeping with past practices and staff recommends approval.

The Mayor opened the public hearing. There were no speakers and he closed the Public Hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Use Permits

9. [22-0291](#) Use Permit Application by MCG VA Sears, LLC, to Permit a Storage Facility 2 at 5112 West Mercury Blvd [LRSN:3002532]

Attachments: [Application](#)
[Proposed Conditions](#)
[Staff Report](#)
[Presentation - City Council](#)

City Manager Bunting introduced Olivia Askew, City Planner, to make the presentation.

Ms. Askew shared information on the site location and background information on Council-adopted storage facility types. She noted that the applicant is proposing to reserve 30% of the first floor area for more active permitted uses such as retail or end services. This area was displayed on a diagram of the proposed facility. The community plan identifies the site as business industrial surrounded by public and semi-public properties, and properties along West Mercury Boulevard that are called out to be commercially developed. The low density residential is proposed to stay low density residential. Ms. Askew shared applicable public policies which include evaluation of land use proposals from several perspectives, mixed land uses appropriate to each district, and commercial development to strengthen the viability and protect residential use and adjacent neighborhoods. She shared the staff analysis of the proposal which addressed the inclusion of the 30% of the first floor area for more active uses, the challenges of repurposing larger big box spaces, and the future expansion of other permitted uses. She shared staff's recommended conditions. She noted the reservation for other permitted uses allowed by right through use permit within the C2 district. The recommended conditions are consistent with other storage facilities use permits that have been approved in the past. Planning Commission and staff recommend approval of item #22-0291 with eight conditions.

The applicant's agent Mr. R. J. Nutter, attorney with Troutman Pepper, greeted Council and expressed appreciation to the staff for working with the applicant over the last several months to make the application beneficial to both City policies and the applicant's financial interests.

The Mayor opened and closed the public hearing as there were no speakers on this item.

A motion was made by Councilmember Billy Hobbs seconded by Councilmember Steven Brown, that this Use Permits be approved with eight (8) conditions. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Rezoning

10. [22-0290](#) Rezoning Application by Marc Gloyeske, Representing NP Hampton Commerce Center, LLC, to Rezone +63.43 Acres Located at 700 and 750 Shell Road [LRSN: 1004270,13004501] , Commonly Known as the Former Site of the Virginia School for the Deaf, Blind, and Multi-Disabled, which Closed in 2008, and Including a Proposed Vacated Portion (+1.45 acres) of Pine Avenue, from One Family Residential (R-13) District to Light Manufacturing (M-2) District with Twelve (12) Proffered Conditions

Attachments: [Revision to Proffer 3\(b\)](#)
[Application w/Proffers](#)
[Staff Report](#)
[Presentation](#)
[Port of Virginia Information](#)
[Traffic Impact Analysis](#)
[Traffic Impact Analysis Update](#)
[Letter_Rev Kenney](#)
[Letter_EDA](#)
[Letter_Versability](#)
[Letter_Boys and Girls Club](#)
[Letter_Dr Finn](#)
[Letter_Port of Virginia](#)
[Letter_Barkers](#)
[Applicant's Presentation](#)

The Clerk explained that items #10 and #11 are related to the same project and the staff report would address both items. Item #10 requires a public hearing but separate votes will be taken after the close of the public hearing.

Ms. Bunting shared that Ms. Bonnie Brown, Deputy City Attorney and Interim Community Development Department Director, and Mr. Mike Hayes, Planning and Zoning Administration Manager would be making the presentation. Ms. Brown shared information on the history of the site originally known as the Virginia State

School for Colored Deaf and Blind Children, which was established by the General Assembly in 1906 and opened in 1909. In the 1980's the school was renamed the Virginia School for Deaf, Blind and Multi-Disabled at Hampton. The Commonwealth of Virginia operated the school for approximately 100 years until its closure in 2008 when the General Assembly consolidated the Hampton campus with the Virginia School for the Deaf and Blind in Staunton. She explained the history of the real estate property transfers following the school's closure.

Mr. Hayes shared that numerous studies were done on the property after the school closed in 2008. HRHA, the Hampton Redevelopment and Housing Authority, looked at this and the adjacent property at the same time as they looked at the property of the now-closed Lincoln Park. A 2013 study done by HRHA was not adopted by City Council at that time. There were a few interests in the property in terms of both residential and light industrial type uses similar to this proposal. City Council asked staff at the time to look at those proposals and the property to come up with the best long-term use of the property. Council determined that business industrial was the appropriate use for this property and it was adopted in January of 2017. Mr. Hayes displayed the map showing the future land use plan. Numerous community meetings both small and large were held, led by the applicants, to see what they were thinking of doing with the property should they be able to acquire it and have a rezoning passed. Mr. Hayes shared that, following meetings in June 2022, a decision was made not to hold any additional meetings with residents, as the residents indicated that the general use was not something they were interested in. This meant there was not anything more to work through in terms of details of the application and design modifications that would satisfy those particular residents. He shared diagrams displaying the existing parcel plan and proposed parcel plan which would create two parcels out of the property, with each having their own building and satisfying their own parking requirements. Of special note is that there is a new entrance proposed off of Aberdeen Road that would be the only entrance for trucks entering and exiting the site. There would also be two gated emergency entrances available on Shell Road for first responders. All traffic would come off of Aberdeen Road from a new intersection previously approved by Virginia Department of Transportation (VDOT). With the vacation of the portion of Pine Avenue adjacent to the Newport News line, there would be a new cul-de-sac and, at the Shell Road end, there would be a place to turn around should vehicles go down to that end. He shared the concept plan which includes site layout, elevations, landscape buffering, parking, retention ponds, shared path use and vehicle idling. He noted that a great deal of attention was given to the landscape plan to help address residents' concerns. The location of this high quality facility adjacent to a neighborhood and the interstate presents a unique opportunity for the City to retain, expand and attract businesses, and create jobs for the citizens of Hampton. Mr. Hayes shared the proffered conditions which include limitations on uses such as that no more than

25% of the building could be used for what is referred to as dead warehouse space. Additional proffered conditions, as well as excluded uses, were also identified. Staff analysis indicates that this application as presented with the proffers is consistent with the community plan policies, meets a regional need for Class A housing and distribution, meets our expectation for job creation and workforce development with the donation of at least 5,600 square feet of the larger building to a workforce development center, and provides protection of the residential community and natural systems. Staff recommends approval with twelve conditions as well as approval of the second item which is a vacation request. Mr. Hayes noted that the Planning Commission did recommend denial of this item.

In response to Mayor Tuck, Mr. Hayes confirmed that Gateway was in a special district and, had it been located any place else, it would still have qualified as light manufacturing or light industrial.

Mayor Tuck welcomed the applicant, Mr. Mike Gloyeske, Vice President of Development with NorthPoint Development. Mr. Gloyeske requested to reserve rebuttal time for after the public hearing, if appropriate. He shared information about who NorthPoint Development is, including statistics about some of the developments they have done around the country. He shared that NorthPoint is a long-term holder of all of the assets that they have built rather than building, filling them with tenants, selling for the highest profit possible and moving on to the next development. Their philosophy is to become part of the community, build high quality, first class buildings and fill them with the best tenants possible that are going to bring great jobs and great tax revenue to the City. He shared that they held a series of community meetings to understand the residents' concerns or questions and help them be informed that the application was coming. He shared that they heard and addressed some of the residents' concerns related to the site plan, access on Shell Road, landscaping, and flooding that has happened in the neighborhood. He addressed the importance of honoring the history of the site and stated that they believe the community should be involved in planning a memorial in honor of its history. Mr. Gloyeske shared information on the plan which includes 250 full time jobs, protections from light and noise pollution, tree conservation, storm water drainage, traffic, and the donation of a 5,600 square foot workforce training center to be operated by the Economic Development Authority (EDA). They will also provide a two week hiring head start to Hampton residents. All buildings will be LEED (Leadership in Energy and Environmental Design) certified, environmentally sustainable with solar support. They have committed to providing a minimum of four tenants to increase the potential variety of employment and decrease the likelihood of a mass vacancy if one of the tenants were to move out. He shared the results of sound, photometric, and air quality studies commissioned by NorthPoint to ensure that there would not be any negative impacts on the community. He concluded by

saying that NorthPoint feels this rezoning meets the future land use classification, the proffers protect the City from any less desirable uses, restricts traffic on Shell Road, and shows their commitment to hiring and the workforce training center.

In response to several questions from Councilman Brown, Mr. Gloyeske explained that the air quality study was set up using the closest Environmental Protection Agency (EPA) owned air quality station at Langley. They took the existing levels based on those monitoring stations and plugged them into a computer program that models the exhaust that trucks and cars put off as they come in and out of the site. Traffic study results were entered into the model to show what impact those pollutants potentially dispersed in the air will have on the surrounding community. He indicated that if the project is successful, another air quality study can be done once the project is finished and trucks start coming in and out of the community to determine whether or not it is detrimental. Mr. Gloyeske shared that of the initial projection of 450 jobs, 200 of them will be temporary construction jobs with the remaining 250 being operational jobs when the project is complete. He explained that all Hampton residents will have a two week hiring head start and the hope is that people in the community will want these jobs and be first in line to get them. He also shared that their SWaM (Small, Women-owned, and Minority-owned) goal is 12% minority and 10% women.

In response to Vice Mayor Gray's question regarding how to limit traffic impacts in the neighborhood before and during construction prior to placement of the permanent ingress and egress, City Attorney Cheran Ivery stated that an amendment to the proffers would be needed. The zoning ordinance does permit the Council to consider and accept minor changes to the proffers at this meeting provided that the applicant voluntarily agrees to them. She stated that if the applicant is willing to restrict construction vehicle traffic to ingress and egress solely on Aberdeen Road, we can amend proffer 3B to reflect that, but that would be at the acquiescence of the applicant.

Mr. Gloyeske shared that there is currently no access to the property off of Aberdeen Road so the plan would be for a minor amount of equipment to be dropped off from Shell Road at the beginning of the project to get it on the site and clear the way out to Aberdeen Road. The construction entrance as presented in the plan is off of Aberdeen Road at the future site of the access point. He stated that NorthPoint could commit to a proffer that says after initial delivery of construction equipment and establishment of the temporary construction road on to Aberdeen Road, no construction vehicle or no construction traffic would enter the site off Shell Road. He confirmed for Vice Mayor Gray that after construction equipment is dropped off, the next step would be the construction of the temporary entrance.

Ms. Glass confirmed for Mayor Tuck that Mr. Gloyeske had used his 10 minutes presentation time but still has his rebuttal time remaining.

Mayor Tuck welcomed the first two speakers. Mr. Dominique Carter made the following statement: I just want to speak on what is going on in the area. I feel like it is a positive thing for the area with the employment that it is supposed to bring. I know a ton of people in that area, I am a native of that area, born and raised, who would benefit from the job opportunities it would bring. I just wanted to speak on that.

The next speaker, Mr. Seko Varner greeted Council and made the following statement: I am here because I am involved with two organizations and in our recent conversation this proposal has surfaced. I am the economic advancement chair for the 200+ Men and I am also the lead facilitator for the Community Action Team. In the last two weeks this proposal has come to our attention. I wanted to review it for the Community Action Team and give some thoughts to the Council. As we looked at it I decided to take a closer look at the proposal and see if the proposal, if acted upon, would provide any tangible benefits to the Hampton Roads black community, specifically the melanated and historic Hampton, Virginia area. After review of the documents it appears, if leveraged, the black community will have an opportunity to identify and benefit from this proposal. While I recently became aware of some concerns that have been shared with some of the organizations, specifically NAACP, I am really interested in hearing if the producer of the proposal will really, truly listen to the concerns that these groups will be sharing. I hope they will be speaking up tonight. But on its face, while the communities I am involved in had a chance to look at it, it looks like this would be truly beneficial to the residents of the City of Hampton. With that said I am going to say that we look forward to learning and hearing from the NAACP and some of the others that have some concerns to ensure that we have completed satisfactory, due diligence. But at this point, based upon what we have had a chance to look over, it looks like this would be something beneficial to the City and to the residents. And I really hope the author of the proposal will consider what the NAACP and some of the other groups have to say to make sure that it is truly beneficial to all the residents and particularly to our community. Thank you.

Mr. Jeff Wassmer greeted Council and made the following statement: In 1999, I moved my business from Georgia to Hampton. We are down on 7 West Queens Way, the old Eason Lawson Westfall Building and Hampton has always been very business-friendly to us. I have had the privilege to sit in your seats as a member of the York County Board of Supervisors and understand the weight that the balance of this, weighing the economic development, the aesthetics and all of those things for the City. I had the privilege of serving as the Chairman of the Virginia Port Authority and I want to speak to you from that perspective. The Port of Virginia has a \$100

billion impact in the Commonwealth of Virginia. What is the City of Hampton's take on that? There is a commissioner on the Port Authority that represents Hampton and Newport News and Hampton is a port city. COVID has rearranged the whole logistics in the country and we all know that. So what happens now? Manufacturers and retail folks want their product close to them so they can do just-in-time logistics. Sometimes requiring parts and pieces and merchandise to show up just hours before it goes on a shelf. So where will those products be stored? Where will they be finally assembled together? This is a prime location with its proximity to the port. If you went by Portsmouth Marine Terminal a few months ago you would have seen thousands of containers. That was everybody's holiday merchandise sitting there because retailers wanted to order it sooner to get it here in the country. This industrial park commerce center is a prime location to facilitate that kind of storage and also third-party logistics that sends stuff here and have to do their final assembly. Also light manufacturing to send stuff out from the port. The port is very balanced in imports and exports. These are great jobs. These are jobs with benefits. These are jobs that support living wages. I highly encourage you to support that. With Hampton Roads Bridge Tunnel being widened, truck traffic will continue. Sixty-five percent of ports cargo leaves by truck so it is either going to drive through Hampton or it is going to stop in Hampton and create economic development, create jobs and create prosperity and revenue for the City of Hampton. I highly encourage you to approve this. Thank you.

Mr. Rick Bagley greeted Council and made the following statement: I am a lifelong resident and for the last 40 years I have participated on numerous boards and commissions. I am currently on the Hampton EDA. This project has come up for over a year now. I am very familiar with the benefits of the project and I just want to make sure that I highlight the fact that the EDA voted unanimously to support this project based on two things which you have heard about. My fear is that with the interest rates going up so fast, we are going to be facing a little bit more unemployment a year from now and maybe the timeliness of these jobs will be really good for the citizens of Hampton; and the revenue. The additional revenue that we need to offset the inflation spiral that we are going through and we can't put it on the backs of our property owners and our residents with property taxes so those are the two considerations that I think make this project worthy and all of the EDA would not have supported this if they were not comfortable with the proffers that were made to protect that neighborhood. So thank you all very much and thank you for your service.

Mr. Greg Garrett made the following statement: I took a huge risk three years ago based on everything the City of Hampton had decided. The City turned this property over from the Redevelopment and Housing Authority to the EDA. The fact that the City of Hampton City Council unanimously changed the land to industrial in the

comprehensive plan. So working with Hampton officials and our EDA, the City Manager and the City staff, and with many of you personally cheering me on, I embarked upon a journey to do exactly what you said you wanted someone to do. To turn this property into an industrial park, a distribution center or a place where we could build things that we are going to be proud of here in Hampton. An industrial park that would be compatible with the neighborhood and all types of proffers to make sure that we don't pollute the neighborhood, wake up the neighbors at night or do anything that is going to negatively impact the neighbors that are located on two sides of the property. This is an ideal location a third of a mile off Interstate 664 with all of the trucks that come in and out not passing a single business or a single house. This is a game changing, class A, world class, Commerce Park which is going to be a catalyst for the renewal and major improvement of the entire Shell Road corridor which it is beside if you guys pass it. Unfortunately, there is opposition. I remember when I was a kid, people protesting at Ann Kilgore's personal house when I was riding my bicycle down Kecoughtan Road and I passed Shenandoah Drive. I rode up, I had no idea what was going on. I was on the way to the Wythe pool as a kid. They were protesting because the Hampton Coliseum was going to ruin everything and bankrupt the City of Hampton. That is what the protest signs indicated. How many opponents ended up enjoying the Hampton Coliseum? I think we all have. How many opponents tonight will end up having family members who work at this if it is approved? I went out and found what I believe is the best industrial park developer in the USA, NorthPoint, they have come to Hampton. We should all be proud of this. We should all be celebrating this together. We have the dream team to bring hundreds of jobs and ultimately millions of dollars of tax revenue to the City of Hampton. All I ask tonight is that you be a City Council that says what it is going to do and then does what it says it was going to do. Thank you very much. At the Mayor's request, Mr. Garrett stated his name for the record.

Mr. Ernest Mawus signed up to speak, however, when his name was called he did not come forward.

The next speaker, Mr. Travis Adams, greeted Council and made the following statement: According to a recent report by WHRO, the Hampton Roads area has the least affordable housing situation in not only Virginia, but in the entire east coast with an average of 34% of its residents being cost-burdened by housing. You have to go to San Jose, the heart of Silicon Valley to find a similarly sized area that is less affordable than Hampton Roads. That includes Charlottesville, D.C., D.C. suburbs, and all of the east coast. In Hampton specifically, 38% of our residents are cost-burdened by housing. The cost burden is defined by the federal government as paying more than 30% of your monthly income on housing. Renters fare worse. Fifty-four percent of our region's renters are cost-burdened by housing. We mentioned a lot tonight about jobs and the jobs this will bring. Two hundred and fifty

jobs, the reference was 6.7% unemployment. Two hundred and fifty jobs isn't even a percentage point on unemployment. It helps, but the housing is a significantly worse issue here. Mr. Rigney, the Economic Development Director gave a quote, "we really do think all things considered that this is far and away, this being NorthPoint, the highest and best use". Based on the housing statistics right now I think the highest and best use for any property in Hampton is housing. I don't live in Wythe, I live in Fox Hill and I already have a job. This won't benefit me. Obviously there are lots of pros and cons. I can't speak to whether you should or shouldn't vote for this but I do think the housing issue is a significant issue for Hampton, much more than jobs at this point. I think that if we take this almost 100 acre site off the table for residential development, the Council needs to make some commitment to developing affordable housing at some other place in the City, high density, mixed use housing, if we are going to take this off the table. Thank you.

The next speaker, Reverend John Kenney, Pastor of Third Baptist Church, Victoria Boulevard, greeted Council and made the following statement: I stand tonight, once again in opposition of the rezoning application of 750 Shell Road. It is a residential corridor with no commercial note of distinction. This proposal has lacked transparency from the beginning. This unsolicited proposal was conceived in secrecy, it was nurtured in secrecy, and it was birthed in secrecy. On page 13 of the draft agreement it states, and I quote "The developer held several community meetings to gain support and to address the needs of the community. After that the City and the Planning Commission would hold public hearings prior to any zoning meetings." As you saw, the last meeting was June 27th and neither the Planning Commission nor the City held a single public meeting prior to this zoning meeting tonight to garner any community input, thus nullifying any and all equity in planning. In addition, there has been transparency [sic] or the lacking, or the result of the soil testings that were taken. Contaminants such as PCB, polychlorinated biphenyls, a probable human carcinogen was identified in 2013 in the testing studies. Now since this property is being sold as is, for transparency purposes, the public needs to know if any further decontamination is necessary. If we are going to end racial injustice, we must begin with being transparent and honest about what our intentions are and what our desires are. If there can be an advisory committee that was formed to address the future of a boat ramp, then surely there can be an advisory committee formed to address the future of black lives. This idea of transparency is also found in the fact that the door will always allow for policy manipulation and financial deception. According to the City's community partnerships and engagement statement, and I quote "The longstanding tradition to seek out partnerships and engage the community in shaping the future was recognized as a source of strength and an opportunity for continued success in the future." According to policy LUCD #36, and it states, "We are going to protect adjacent neighborhoods and promote compatible land uses within the City's residential

corridors,” which is the Shell Road corridor. It is zoned as residential. As a pastor whose church, again is in this neighborhood, this warehouse itself is going to be unsightly. I say no to this proposal. Thank you.

Ms. Angela Simpson Holloway greeted Council and made the following statement: I oppose the NorthPoint proposal and the rezoning of the land at 750 Shell Road from residential to light industrial. The surrounding neighborhood will be adversely impacted. The streets are already ill-equipped to handle the current traffic. There are no sidewalks and young children who have to be in school by 7:30 in Hampton, we are talking about kindergarten through fifth grade, will probably be awakened in the middle of the night with the trucks that only can idle for 15 minutes at a time. But who cares. The needs of this community historically have not been met. There is no reason to believe that any revenue, which there probably will be a lot, will be used in the community which is bearing the brunt of this development. Things like improved storm water runoff, proper lighting, and underground power lines, those needs have not been met. But these are people that appear not to matter. We care more about the muskrats living than we do about the people. The needs of a majority black neighborhood are usually on the back burner but, when it comes to generating revenue, they are the first to be defiled and bastardized. And, who really does own this land? We have a little property that is designed for us for a memorial which very possibly could be sold as soon as this proposal is passed. The waters are muddy like one of the Hampton Commissioners said. These are muddy waters. Those of us who care are those who do not want the rezoning. We care more about people than we do about revenue. This is not to pull at your heartstrings, this is just to appeal to your sense of justice and fairness. Thank you.

Mr. Renard Miller greeted Council and made the following statement: Thank you all for your attention. I am a lawyer by day job, which has taken me to lots of different cities. On that list is Chicago, D.C., L.A., San Francisco. I have always wanted to move back here. I followed opportunities, that is why I lived in those places and as I lived in those places I always thought, what if somebody had a real vision for Hampton Roads? Like a 100-year vision or 200-year vision that really pushed towards something. How did these places become what they were? Places of endless opportunities. Places that really impact people and sort of rise to a different level in this country. The way they did that is by saying yes. But not just yes, “yes, and.” So tonight I’m asking for a “yes, and”. “Yes, and” we can figure out what to do with the million dollars increased revenue every year. “Yes, and” we can figure out how to make sure that that is going to impact some of the things people have been bringing up this evening. “Yes, and” perhaps a greater economic base would be a good thing to have next year as we face increasing inflation and uncertain economic times. I say to you all, that we don’t get to any of those places, we don’t get to any of the ands in this room. Everybody has their pet projects, everybody has issues that

they really care about. They are all ands. We don't get to any of those with a no. We only get there with a "yes, and." Thank you.

Mr. Aaron Clark greeted Council and made the following statement. We believe that the rezoning and proposal projected by NorthPoint Development will bring long overdue economic opportunities to the edge of our neighborhood, which has been overlooked for a long time. The property has been vacant for over 12 years. It has been serving as a dumping ground for people leaving the Newport News area. The Pine Avenue area as well. We will be proud to see this property turned into a clean industrial development for the right kind of jobs for our citizens. We love the fact that the trucks are going to be going down Aberdeen Road and up the interstate. Our City needs the tax revenue and our friends and family and neighbors need the jobs. We also love the fact that the City is going to be putting 10 acres aside for some type of a park in honor of the legacy of the Virginia School of Deaf and Blind. I am living proof that jobs within walking distance are vital to this type of community. I watched my father walk to work many times. Those old deuce and a quarters that many of you had back in the day, my father had one so what he would have to do is walk to Dominion Power from time to time. I have been to a lot of these City Council meetings and I have seen him walk to these meetings, as a matter of fact. There is a lot of development in the fact that a person can walk from one place to the other to get the job done. So the key to me was within walking distance and jobs. I think that is progress. Thank you.

Mr. Doug Smith greeted Council and made the following statement: It is certainly a pleasure to be with you this evening. I am the President and CEO of the Hampton Roads Alliance and I am obviously going to make some comments on the NorthPoint proposal for Phenix Commerce Center. You already know that this nearly \$100 million development by a first class developer will provide Hampton with significant jobs, tax revenues and a quality product. Our region and your City have limited development ready sites. Frankly, this lack of product keeps us from achieving the economic growth this region deserves. We are blessed with a naturally deep and safe harbor that has allowed Virginia to create an incredibly efficient and growing port. The State has done an outstanding job in investing in on-terminal infrastructure and we are widening and deepening the channel. We have not done a good job identifying and preparing sites outside the terminals that can support the port and leverage the investments to our economic benefit. This project gives Hampton the opportunity to change that. What makes this a great site for economic development? Proximity of this site to the port will help drive additional imports to the region. Proximity to several manufacturers who may need space to store product, such as Howmet Aerospace and Newport News Shipbuilding, make this an outstanding site. Access to local and regional interstate networks for local and national distribution will allow tenants to move their products out of the region quickly and efficiently.

Proximity to large population centers will help with local deliveries. Because of the Port of Virginia, logistics and transportation is a growing sector for employment in our region. Again, the reality is our region has limited development ready sites close to port terminals. As a relatively built out city, Hampton, in particular, has limited opportunities to benefit from the growth of our port. The Phenix Commerce Center offers a unique opportunity for the City of Hampton to benefit from the growth of the Port of Virginia. Finally, those individuals and businesses that are interested in investing in, for the long term, look to the comprehensive plan to understand where our City is going. Five years ago Hampton amended your comprehensive plan to identify this site to accommodate light industrial uses. Staying consistent with your comprehensive plan sends a very important message of predictability to potential investors. Conversely, making decisions that are inconsistent with your comprehensive plan creates uncertainty for investors and the business community. Thank you all for listening.

Mr. Richard Edwards greeted Council and made the following statement: I'm here from Hampton in approval to the project going forward. The reason why is because there are so many people that don't have work and need work. Young guys. I have got over 30 people in this envelope to sign in the neighborhood that are agreeable to employment and help. It has been a dump area set there. I mean I understand that this is something that somebody wants to hold onto, they are going to give you a piece of that. But we need improvement, we need help and it needs to get better looking in the neighborhood. You go down Gloucester and all you see is the City dump. It's got to be something done and it's been sitting for quite a while. But I understand there is different views on each side. But my biggest view is something got to change for something to get better. To wait too late for it to get great, we are dead. So, I think we should change. It's not for the white, black, it's something that needs to change to make the community better. So that is what I want to say tonight.

Ms. Christina Brooks greeted Council and made the following statement: I am the Senior Director of Special Projects at the Hampton Roads Workforce Council. I am here this evening to read prepared remarks on behalf of our President and CEO, Shawn Avery. Dear Mayor and Members of City Council, As President and CEO of the Hampton Roads Workforce Council, it is my pleasure to support the Phenix Commerce Center project proposed by NorthPoint Development. As a long-standing partner with the City of Hampton, the Hampton Roads Workforce Council has provided workforce services to advance economic stability by helping to identify, recruit, develop and connect job seekers with employers through its multi-faceted programs. Many of these ongoing collaborations with our high performing partners help develop a skilled, diverse, engaged and adaptable workforce that is vital to our region's success. In line with the imperative for collaboration to meet our mission, we support the Phenix Commerce Center's stated mission to empower people, enhance lives. The NorthPoint Development team has been very forthcoming and

inclusive with the Workforce Council when it comes to details regarding this project. We are impressed with the economic benefit that this project will bring to the community and to the City of Hampton, including the potential of adding 200 construction jobs and 250 permanent jobs to the area, as well as an estimated \$800,000 in tax revenue and additional improvements to the property and adjacent properties. Additionally, the following commitments from NorthPoint Development will have a positive impact on the community: donating a furnished 5,600 square foot workforce training center for use by its partners including the Workforce Council; two week hiring head start to local Hampton residents; setting aside a portion of construction work to SWaM owned businesses; and providing partnership opportunities with the City of Hampton to develop 10 acres for community benefit use. I strongly support this project and the focus on job creation, development of a workforce training center, financial benefits to the City of Hampton and the positive spill-over this project will have on the local community. Sincerely, Shawn Avery, President and CEO of the Hampton Roads Workforce Council. Thank you.

Mr. Logan Beck greeted Council and made the following statement: I am here this evening to say please, please, please approve this. And my reason being, I think this would be a great opportunity for growth in the community. Having jobs would be great. We would be trained for jobs. Young men like me have upward mobility inside of a job. I just think it is a positive outcome in the long run too. I feel like if this wasn't approved, people would start moving to Newport News or York County or other places where there are jobs and that's not what we want. We want the community to grow and get bigger and bigger and have more community. That's the ideal goal. I've been living here in Virginia for nine years now, seven of those years have been here in Hampton and I've loved every bit of it. For all my friends and all my brothers I would love for them to have the same opportunity to get a great job and be able to have a nice trained job. It would nice to see growth and change in the community. Thank you.

Ms. Nancy Williams greeted Council and made the following statement: I live on Gloucester Street in the Westfield subdivision in census tract 120. I would like to provide some petitions to the Mayor and Council. I do not support the NorthPoint project plan number 22-0290 which is located at 700-750 Shell Road. I do not support the vacating, elimination of Pine Avenue to make a pedestrian path. It would be too dangerous for four lanes of truck traffic to cross a pedestrian path. People will be killed. I do not support the rezoning of 700-750 Shell Road from residential R-13 to light industry M-1. The Virginia State School for the Colored Deaf and Blind Children was established in 1906 as Virginia's first and only publicly funded school to serve the needs of deaf and blind African American children. The school was located in Newport News until 1952 when it was consolidated into the City of Hampton. In 2008 the school was closed. In 2010 part of the land was sold to the

City of Hampton, approximately 50 acres. The balance of the land was sold in 2019 to Phenix Industries. Approximately three or four years passed while we were working as a community to create a plan. The plan had nothing to do with Lincoln Park relocation. Thank you.

Mr. Robert Smith greeted Council and made the following statement: I am against using the 750 Shell Road property for industry. I grew up and I now own property in the 500 block of Greenbriar Avenue. Just recently the traffic on Pembroke Avenue was backed up from LaSalle Avenue to Greenbriar Avenue, actually past Greenbriar Avenue. So while in my yard I noticed there was an increased flow of traffic coming down Greenbriar Avenue, to include tractor trailers. Now I know the plan is to restrict industrial traffic to a specific route, however when that traffic backs up, I am here to tell you that those plans will go out the window and those drivers will take the routes of least resistance and that is going to be through our neighborhood. At one of the past meetings a NorthPoint representative stated that they were using the Copeland Park site as the model for their plan and that the project would cost over \$90 million. At a different meeting we asked the question, why not use one of the abandoned buildings in Copeland Park and restructure that. We were told that none of those buildings met their need. So here is my question, if Copeland Park is the model for the plan and Copeland Park is already zoned to meet their needs, and they are already planning to spend more than \$90 million for this project, then why not purchase one or even two or more of those buildings at Copeland Park, tear them down and then rebuild them to meet their needs? And I think that would be a win-win for everyone. The jobs would still be in the community as so many people have been concerned about. Subject to your questions that is all I have. Thank you.

Mr. Steve Kast greeted Council and made the following statement: I am President and CEO of the United Way of the Virginia Peninsula. I stand here tonight in support of this project. Part of what United Way does in the community is to try to help folks move out of poverty or Asset Limited, Income Constrained, Employed (ALICE), which is basically the working poor. Our office receives phone calls daily from folks needing assistance. Many of those folks in the City of Hampton are from this neighborhood. You heard about the unemployment rate and other things. We support this because, in order to help these folks, there needs to be a sustainability plan for them going forward. To be sustainable, they need jobs within their community so we are behind this project. Also, before, several months ago before I totally threw my support behind this, I met with NorthPoint and asked them about how they would be engaged in the community. I walked away very comfortable that they will be an engaged part of our community, giving back to the community so I think it is a win-win with the jobs and also with NorthPoint being a great part of our community. I just have to say this, I've worked for nearly 40 years in human services helping people within our community and Greg Garrett, when asked to help

someone, has never said no. He reaches down deeply within this community and I know he loves the City of Hampton. So thank you guys.

Mr. John Ishon made the following statement: As we know, Hampton has been here since 1610 and because of that we have a lot of development that has gone through many years. We are almost totally developed so each time we have an opportunity for economic development we need to consider it extremely seriously. What commercial economic development does, it mitigates taxes for individuals in their residences. This sometimes is overlooked so it is very critical that we provide an opportunity to reduce our real estate taxes with commercial businesses. I would hope you would seriously consider this and I support this project. Thank you.

There was a 10 minute recess from 8:12 until 8:22 p.m.

Ms. Ursula Barkers greeted Council and made the following statement: I am a proud long-time resident of Greenbriar Avenue. Through hard work and financial discipline over the past 40 years my husband and I paid the mortgage of our home, financed the engineering degree our daughter obtained at the University of Virginia, paid our taxes and always lent a helping hand to our neighbors and friends. To sum it up we always were and still are productive and self-sufficient residents who plan to live the rest of our lives comfortably in our beloved community. But our dream is threatened by the proposal to allow warehouses and manufacturing facilities to be built in the heart of our community. The exhaust of the many diesel tractor trailers driving near us 24/7, 365 days per year will cause great harm to citizens with asthma and other health concerns. The increased noise will rob us of proper rest. Our roads, already dangerous to walk on because of traffic and lack of sidewalks, will become even more treacherous with the increased traffic from drivers trying to avoid tractor trailers that will clog the intersection of Pembroke Avenue and Aberdeen Road. Proponents of this plan say it will increase the City's tax income and create jobs for our community. But it is immoral to grow the prosperity of some by destroying the quality life of the residents of this predominantly African American community. My neighbors, like my husband and myself, worked hard to pay for homes whose value will be diminished by this project. The City's own Planning Commission agrees and voted against this project to proceed. Some commissioners stated the lack of transparency surrounding the City's involvement; the concern of low-paying jobs with minimal benefits typical for warehouse workforce; the City not listening and caring how the citizens feel about the site and the community, would shape their vote. Before you vote tonight on whether or not to approve this project, please put yourselves in my place and ask yourselves how you would feel if you lived in my neighborhood. Do you welcome warehouses and factories next door to your family home? If your answer is no, then you must vote no. Would you want constant traffic, noise and pollution in your backyard? If your answer is no, then you must vote no.

Do you believe every resident of this great City deserves a good quality life? If your answer is yes, then you must vote no. I respectfully ask you to say yes to using this site to build affordable housing Hampton residents lack, a cultural and educational center, and anything else compatible with a healthy and vibrant neighborhood. A warehouse is certainly incompatible with our quality of life. Thank you so much.

Ms. Deborah Coppedge-Breland greeted Council and made the following statement: I am really nervous about speaking but I had to come today. I grew up, I was raised in Hampton. My father still resides in the same home which, like many areas of Hampton have places where people have lived 40-50 years, and so, just like the area that is being talked about this evening. So I want to really just give a perspective for me. My concern is about the people that live there in that area, even though I don't live in their particular neighborhood, about their health and safety. A lot of the concerns should be concerns to every single one of you, Councilmembers and to the Mayor, respectfully. I want to say that my sister attended that school. She was born in 1965 when African American children had nowhere to go. She's profoundly deaf. At the time, my mother was very proactive about us going to school and having an early start, so we went to Emmanuel Lutheran school which was the only school that would take children that had hearing disabilities. Long story short, she ended up attending the Virginia School for the Deaf and Blind. My parents were very active in that and with that said, those grounds there, to me, are personally a part of my history because I went there to that school when I visited my sister there. When my mother volunteered, my father, programs, so forth. They are sacred grounds. I really feel that the Council needs to take a good look at this and understand that just like the Chapel here in Hampton, just like the Emancipation tree down there, just like Fort Monroe, that is a sacred place and to put an industrial park in there when you know that families are concerned about it, as well as the historical value of it, to me, it is just not the right thing for you guys to do. So I'm just going to say that I hope, I'm against it, and I hope in my speaking, I brought my father who is 90 years old back there and he said "get up there and say something." So I'm here to do just that, so with that said I just hope that you vote no and I hope that maybe something else can come out of that like some residential affordable housing, something else but not an industrial location for buildings and so forth. I agree, we need revenue. I came back here because I love Hampton and also because I want my taxes to get low. We know there has something done but I don't think that is the right decision and the right place to do it. So I respectfully say, please say no to this because it is like, it's just a personal thing that for 100 years it is the only place children of color had to actually go to. I respectfully ask that you hear what I said. Thank you. Mayor Tuck stopped Ms. Coppedge-Breland from making any additional comments as her allotted time had expired.

Ms. Karen Campblin greeted Council and made the following statement: I am the

current Virginia Conference NAACP Environmental and Climate Justice Committee chair. I am coming here to you from Northern Virginia and my role at the Virginia State Conference NAACP is to provide resources and advice and technical resources to all of our units as they combat and fight injustices and fight for sustainable and livable communities around the Commonwealth. The Virginia State Conference is concerned with the current proposal to rezone the former site of the Virginia School for the Deaf, Blind and Multi-Disabled African American students. We formally request that you do two things today. First, you vote no on the rezoning application but also require additional review and intentional community engagement, ensure that intentional community engagement is conducted to determine the best use and design for the site. Hampton NAACP and its members along with partners and local residents have been raising concerns of lack of community coordination, potential unsafe conditions, and increased traffic that typically accompanies light industrial land uses such as what is presented today. The surrounding uses as you see consist of family dwellings and any potential uses should complement the adjacent neighborhood with no intrusions. As you know, the site holds significant historical and personal significance to the residents, to the black culture and to the disability community. I will highlight a few of our concerns. The first dealing with economic development and job development. The proposal doesn't present any community benefit agreements or guarantee project labor agreements to help ensure that any new jobs created by the project would truly benefit local residents. In addition, the notice of upcoming opportunities should be longer than two weeks just to give local residents an opportunity to get the certifications that they would need or any small businesses to make sure they have the resources to address and be able to be competitive in the procurement process. We also urge that a cumulative impact assessment be done, particularly as it pertains to air quality. These neighborhoods are within close proximities and are already overburdened with air quality issues and they are surrounded by industrial uses such as the Navy shipyard, the marine terminal, the industrial park and the marine terminal. And then, the noise reduction. We know that significant vegetation is required in the buffer to have noticeable noise reduction and there should be concern that there is overgrowth, so as the trees get higher we lose the lower branches. And also there is going to be a decline so what may be noise reduction one day, six months later or a year, may not be as effective. I'm going to close up and urge you to work with local residents. Thank you. Mayor Tuck stopped Ms. Campblin as her allotted time had expired.

Ms. Gaylene Kanoyton greeted Council and made the following statement: Thank you for allowing me to speak today. I am the President of the Hampton Branch NAACP and also the Region One Vice President for the Virginia NAACP. We are against this project only because of a couple of things. Let's talk about quantity versus quality. When I say quantity let's not count the number of speakers that are speaking for this project, or against this project. Let's think about the quality of

speakers that are speaking. And when I say that, when I talk about process, the residents in the community were not included in the process for this particular project. There were community outreach initiatives this summer, a few of them. But ever since 2008 under the leadership of Dr. Mary Christian and many of these people in the room who fought to keep the Virginia School for Deaf and Blind here, they have not been talked to since this property has been sold. They have not been asked for any input whatsoever. In 2014, I came to this City Council and I asked for all of the school board seats to be made at-large because I knew that we could increase diversity. A lot of people that were against it and City Manager, Mary Bunting, at that time, she put together a task team and brought together business people, community people, residents, people from all walks of life who had all different views of what they wanted to see with how our school board needed to be selected. And we went into a room and we had several workshops and we looked at all different models. We all came to the conclusion after we were all grouped, because we weren't on the same team, we all came to the same conclusion that what would be best for the City of Hampton would be to have at-large school boards. We became ambassadors together for this particular project. What I am saying is this, we should be inclusive of the community, come together, get input so we can find, not be talked at, not be told what we need to have. Bring the people together and let them come together and decide what is best for that particular property. The process has not been there and it is not fair to the citizens of Hampton. Thank you.

Mr. Bob McKenna greeted Council and made the following statement: I am President and CEO of the Virginia Peninsula Chamber and I am here to speak in support of this project and the rezoning necessary to approve the project. The organization that I represent works with local community partners to help create the conditions necessary for economic growth and the upward mobility of all of our citizens. As you are all very aware, the logistics warehousing and transportation sector is an integral part of our local and regional economy. The Port of Virginia is probably the greatest economic driver in our region and a project like this is critical to tapping into the potential created by such a great port by having ready access to the port and due also to its proximity to major manufacturers in the area. You have already heard some of the great factors that make this such a beneficial project but they bear repeating and emphasis. Given that NorthPoint Development are long-term holders they are generally more willing to subdivide these buildings to allow for smaller tenants to occupy the spaces at a price point that fits their needs. This allows for smaller businesses that are growing to be in a first class space that fits their need as they grow. The developer is providing a 5,600 square foot workforce training center in one of the buildings which they will fit out at their cost and then provide a no cost lease to the City to operate. The developer is requiring the tenants to give a two week head start for Hampton residents when a new job is posted. The developer is providing a financial contribution to the City to help activate 10 residual acres of land

adjacent to the site as a public amenity. This sounds like a win-win to me from an economic development and a citizen standpoint. But let me take this a step further, and I am not going to say anything that you all don't already know. The City took this plot of land and decided that the best use of the property was as an industrial park. The City then transferred the property from the Housing and Redevelopment Authority to the Economic Development Authority with the intent of using the property to create jobs and provide tax revenue to the City and its citizens. The City then held public hearings to change the comprehensive plan to show that the future development of this property, which had been vacant for 14 years, should be industrial. Next, a private developer comes in, in good faith, and spends more than \$2 million to purchase and remediate the site and no telling how much more to do all the required studies with architects, lawyers and engineers, doing exactly what the City said they wanted to be done to create an industrial park. To not approve this project at this point and time would send a bad message to future developers who are looking to Hampton for future projects. I said before that this is a win-win but should have said it is a win-win-win. It's good for the City, good for the developer and most importantly, good for the citizens of Hampton. I would also say it is a no-brainer. If we don't take this opportunity to grow it will make future opportunities less likely. Please do the right thing, approve this project and close this deal. Thank you.

Mr. Lang Williams greeted Council and made the following statement: I am a citizen of Norfolk and a lifelong Virginian. I am active in the logistics and warehousing real estate brokerage and just to give you a perspective on what has happened across the Commonwealth, but unfortunately not in great cities like Hampton, where I live in Norfolk, Portsmouth, who don't have land for such opportunity. The last 10 years in Virginia there has been \$58 million of just real estate tax revenue with the logistics and light manufacturing development. The City of Hampton has only one percent of that new revenue and it's because of the lack of land here. It is a very difficult position you are in and with the citizens that are for and against for various reasons, land use is tough. It is hard to get anybody in a neighborhood to agree on anything. But in terms of what our region is, which is maritime and logistics, that's where the most immediate opportunity is for new revenues and job growth. We only have three percent of the Richmond and Norfolk real estate tax revenue with logistics and warehousing in Hampton in the last 10 years. Again, because of the lack of land use so when the unfortunate circumstances that led to the closure of the Virginia School for the Deaf and Blind, by statute, the Commonwealth has to give the City the right to acquire that, which you have. You have gone through comprehensive planning and review to get it to where you think it is the right use for light industrial. Another thing about the environment, of all the development throughout Hampton Roads in the last 10 years, there has been no developer who has agreed to build a building that meets environmental standards. The LEED standards they have agreed to do, Leadership

and Energy Environmental Design, no other development in all of Hampton Roads and to my knowledge in Richmond either, has been built to that standard. So it is good in terms of the materials used and their approaches and eventually if they work it out with Dominion or whatever with the solar panels on the roof. So those are benefits, I think, to the development in addition to the other proffers. So I plead with you to accept this opportunity by NorthPoint for your citizens, for the region and for the Commonwealth. Thank you.

Mr. Jeff Moore greeted Council and made the following statement: I am a business owner. I am one of three owners of a company called Acoustical Sheetmetal in Virginia Beach. We bought the company at the beginning of 2019 and toward the end of 2019 we were growing like a weed so we were looking in Hampton Roads for something like this, an industrial park that would serve our needs to grow. We couldn't find anything like it. We would have loved to have been in Hampton. In the end, we literally could not find anything that was already built. Luckily, Virginia Beach contributed 20 acres of land for us and we invested about \$17 million and built a new facility. So we have 185,000 square feet. We went from 125 jobs to today we have 380 jobs. Reasonably well paying jobs. Secondly, we are about to build another 135,000 square feet on the same plot of land and we will have by the end of 2023 about 480 employees, heading to 500-550. In 2023 I think we will pay about \$400,000 in taxes with about \$600,000 in taxes after the new facility. So, we are over near Princess Anne and Dam Neck. We are next to a children's hospital and across the street on Princess Anne is a residential neighborhood. We haven't had complaint one from the children's hospital or complaint one from the residents. We are a light manufacturer, making enclosures for large generators and electrical equipment. I guess we are just an example of what would be a very favorable tenant and a real job creator. A park like this would have very much interested us two and a half or so years ago. That's my story.

Mr. Howard Kershaw greeted Council and made the following statement: I am the owner of K's Auto Center. I am directly at the entrance of the Deaf and Blind School in Hampton. I have been there for 32 years. I think the property and location is great but that facility is the wrong business to come there, wrong property. I am familiar with that property for over 50 years and there's nothing new about this possibly was going to close at some time. In early 2000, the City of Hampton had a comprehensive, basically a book as many pages as it was, to keep that side of Pembroke as residential. This goes beyond that to Shell Road and beyond. This was not in the plan. This right here is something that appears to get under the door, which is not right for the citizens and the people that stay in the community that has invested into it. The City is going against their own plan doing this. I asked about it in 2017, the City had a meeting shortly after they acquired it and acquired the second part of the property. They was vague about it as to who owns the property, the

warehouse, how did they get the other property that was dedicated for the school and it has been kicked around many times. I think there's other locations that would be great. Copeland Park is undeveloped. Magruder Boulevard, 134 and Magruder Boulevard has tremendous amount of land to do the same project and still within a reasonable area. I would love to see a project come here, but not there. It should remain residential. It's good for any business but not that type, not industrial of that size. That will be all.

Dr. John Finn greeted Council and made the following statement: I am an Associate Professor of Geography at Christopher Newport University. In considering this proposal I hope that you will take into account a few historical, socioeconomic and environmental factors. This school originally named the Virginia State School for Colored Deaf and Blind Children was a segregated school serving the multi-disabled African American children beginning in 1909. It operated for exactly 100 years until it closed its doors in 2008. The site is located amongst formerly segregated and redline neighborhoods. Neighborhoods that are today predominantly populated by African American families. According to the 2020 census, more than 5,000 people live within about a half mile of this site. The population is on average about 90% African American and in many of the census tracts immediately surrounding this site, 35% or more of families live below the federal poverty line. These communities have also long bore the brunt of deep environmental injustice. While this site is bordered to the south and east with residential neighborhoods, as we have heard tonight, areas immediately to the north and west are occupied by a variety of industrial land uses. Interstate 664 was built less than 500 meters from the school. Today there are 15 EPA tracked toxins released within one mile of the school, spewing oftentimes carcinogenic toxins into the air, ground and water. According to the EPA, the neighborhoods surrounding this site are at or above the 90th percentile statewide on multiple environmental justice indexes, including hazardous waste proximity, diesel particulate matter, lead paint exposure, traffic proximity and air toxins cancer risk. According to the United States Department of Agriculture (USDA), most of these neighborhoods are food deserts, and nearly all classified as medically underserved communities. Perhaps not surprisingly, according to the Centers for Disease Control and Prevention (CDC) these neighborhoods have asthma rates above the 90th percentile nationwide and life expectancy in communities surrounding this site is seven years lower than the statewide average. It is here, situated amongst predominantly black neighborhoods, that have long suffered disproportionate environmental and health inequalities, that this proposal would rezone the site of a historical school for disabled African American children to industrial land use. Doing this will only serve to continue the environmental racism that has long been wrought on these communities and other communities of color all across this nation. If we are to be committed to the project of racial justice, we have to stop allowing this kind of historical erasure and environmental racism to go on. Not

approving this proposal would be a good place to start. Thank you.

Mr. Jay Joseph greeted Council and made the following statement: I probably shouldn't follow a CNU professor. I am a Hampton resident and for those of you who may know me from my commercial real estate business, you should know I am retired and I have no dog in this fight, I have no interest in this project. However, because of my career, I have followed this site closely. Soon after the school closed I served on a City committee that looked at the site, including the reversionary language in the deed. I even jumped the fence one day to take a look at the former superintendent's house to see if it would qualify as a location for a museum or community facility to honor the school. Unfortunately, the State had neglected that building and it was beyond useful life. I also gave advice to the previous property owner, the heirs of the Old Dominion Land Company. So I know from following the site that a portion of the property was previously under contract for a shopping center development. The shopping center developer spent a lot of time and money talking to tenants and doing his research and what he concluded was that there was insufficient population, traffic and purchasing power in the neighborhood to support retail development. Later, the property was under contract to a housing developer. He did his research and he concluded that the prices for new, market-rate housing would not support a profit above the cost of development. This site will not support market-rate housing. I believe that the best and highest use for this property is industrial and clean industrial as has been described today. The City has already made many good decisions on this site moving it into the EDA, going early to VDOT to get the limited access designation lifted off of Aberdeen Road and of course as has already been referenced, putting it in the business and industrial category for land use. So I encourage you to make another good decision which is to approve the plan and the rezoning before you tonight. Thank you.

Ms. Faith Caldwell greeted Council and made the following statement: I do have this for the Clerk. I am a resident of this great community and an experienced realtor. My story isn't like many of the residents who have grown up in this neighborhood but my story is that from the time I moved into the neighborhood I fell in love with the vacant land on Shell Road primarily because of the history marker that mentions the Virginia Deaf and Blind School. From the very first time I saw it I was intrigued because it reminded me of my now deceased father who was completely blind. I loved that there was once a school for the deaf and blind. I would always take time thinking about possible ways the land could be used to grow the community, create a sense of pride for the residents and how it could become a profitable tourist attraction, all the while serving the increased housing needs of Hampton. I drive through Shell Road daily. I can afford to live in another community but I choose to live here. Many residents are against the rezoning and I understand why. The City wants to hear a solution to the complaints from residents and that is why I am speaking today. I want to show that there is an alternative solution and for it to be on

record that someone who understands the need for revenue in the City and the jobs that everyone are speaking of, stand alongside my neighbors believing that there is another option. My vision for our community is a prestigious, all black, mixed use development that honors the character and legacy of the Virginia Deaf and Blind School. The development will be called Vision Point, with single family homes, townhomes, retail and a much needed grocery store. Someone mentioned a food desert, I know about it because I live in it. And restaurants. I'd like to honor the founders, teachers and students by naming the streets of Vision Point after them. Fifty-one percent of the retailers could be local businesses and all walkable areas should be suitable for those who are visually or hearing impaired. I also envision a memorial courtyard at the center of the land. I propose a luxury, two-story mixed income townhomes call the Academy at Vision Point with commercial space below. The single family homes can be called the Estates at Vision Point. Creating a mixed use development with shopping and restaurants will bring revenue. Temporary jobs can be created by ensuring that majority of the workers doing all phases of construction and development are local. Permanent jobs can be created by hiring residents of the community to work in the retail stores, grocery stores, restaurants, etc. This is just a summary of the potential. This land could become a sought after community bringing those from near and far, embracing the history while seeing the future. I believe in this community and it's potential. Mayor Tuck stopped Ms. Caldwell from proceeding as her allotted time had expired.

Dr. Colita Fairfax greeted Council and made the following statement: I am a professor at Norfolk State University. We believe, many of us, in economic development. Jobs alone, however, doesn't change the quality of life of a family. It takes other forms, many levels of forms and of investment for families. I also think we should consider that the Virginia School was a part of an important black teacher movement and an important part of an educational disability movement. Educators from Historically Black Colleges and Universities (HBCU) and historic black schools throughout the State convened at the Virginia School, held conferences and meetings there. So I ask you to be a progressive policy making body and allow the property to be developed as a museum dedicated to teachers with an outside theatre. Why not consider sponsoring archaeological projects given the historic nature of that space? Why not remember the legacy of my late mentor, Dr. Mary T. Christian who fought to save the school when the State closed it? She fought until she died. She had a vision to create educational and cultural initiatives at that sacred space. If we do not do this, it means black erasure of a historic space that means so much to the community. Consider the ramifications of a vote that supports environmental racism, which is really ecological apartheid. In this case, building a manufacturing company next to where people live. Consider that, if you have the opportunity to choose your homes, you wouldn't do so, in fact, no one on City Council I wager, no official, no attorney for the City, would reside next to a

manufacturing plant, so why should working class black people be subjected to such horror? Does 1619 mean anything to you anymore? Your predecessors and former City Councils environmentally preyed upon the black community in the 70's, wiping out the historic Wine Street neighborhood to build City Hall, in the 60's tearing down the historic Old Hampton grand contraband community and business district to build government project housing, neglecting tangible investments in Shell Road and Victoria Boulevard. Turn the tide. Be a progressive policy making body and vote no. Vote with the community this time.

Ms. Sandra Timmons greeted Council and made the following statement: Many of you know that I was a long-time assistant to the late former delegate Dr. Mary T. Christian. Virginia School for the Deaf, Blind and Multi-Disabled was very dear to Dr. Christian as she has a daughter who was a student there and she supported the mission and vision of the State school. Dr. Christian worked tirelessly alongside Ralph Shelman, Executive Director of Insight Enterprises, to keep the State school open. Despite these efforts, the school closed in 2008. Although, when the school was established there were 35 acres I believe, for African American deaf and blind students. It was Dr. Christian's and Mr. Shelman's belief that those acres would always remain for that population. Dr. Christian and Mr. Shelman met on many, many occasions with the City Manager, two Mayors, school superintendent and former City Attorney, trying to find land that either the City or the school board owned to arrange for a swap to build a school for disabled infants to five year olds which would help and assist them and their parents in navigating the disability community with resources, education and affordable housing. Despite their herculean efforts, nothing materialized. I am here today to speak on behalf of my mentor, my surrogate mother, my confidant, to stand with the residents of the community surrounding the school. Keep the residential zone. Thank you.

Mr. Ali Afonja greeted Council and made the following statement: Ladies and gentlemen, I would like to take a moment to thank the City Council and those in attendance for your time and attention. Some of you may know me as the founder of Family Restoration Services, which offers therapeutic services to our City's youth, or as the current president of the Hampton Education Foundation. Our organization office is located within Wythe, just a short distance from where the Phenix Commerce Center will be constructed. I intend to speak on how the project will affect the communities that I interact with on a daily basis. As I have learned more about this project, I have become more aware of the extent to which NorthPoint Development understands the needs of the Wythe community and their capacity to do good for that community. To start with, NorthPoint will partner with the City of Hampton to donate a workforce training center on this location, ensuring that the residents learn the skills they need to get employment and earn a healthy living for their families. Additionally, I have learned that all companies wishing to do business

here will be required to offer local residents an early chance to apply for positions at the location. This gives our residents a leg up to benefit from the stimulus created by this project, keeping Hampton money within our community. A project of this scope will create as many as 450 new positions that could lead to better lives for many of our citizens. I would also like to touch on the benefits created for our City's economy at large. Beginning with a capital investment of over \$90 million, this center will create over \$8,000 in tax revenue for our City. Furthermore, the City Manager has already agreed to set aside a portion of proceeds from the sale to directly benefit the Shell Road area for projects including infrastructure and safety. Lastly I would like to speak to the environmental awareness displayed by NorthPoint throughout this whole process. I believe the community should be aware of the steps taken, not only to mitigate the environmental impact on our City but to also improve conditions. The Phenix Center is intended for only clean manufacturing projects and no producers of unsafe emissions or hazardous pollutants will be welcomed. Ladies and gentlemen I thank you for allowing me the time to offer these brief remarks. As an active and dedicated member of the community, I truly believe that the Phenix Center will be another step down the right path for a safer and stronger Hampton with benefits beyond what I have mentioned for our struggling citizens, our entrepreneurs in waiting, and our City's economy as a whole. I look forward to seeing the results of our community's deliberations and I hope my remarks have been helpful to the process. Thank you.

Mr. Dariel Tillery greeted Council and made the following statement: I am a Hampton resident and also a Newport News resident. I am speaking on behalf of my Aunt. She is 45 years old. She went to the Deaf and Blind School in 1986 and she graduated in 1996. A couple weeks ago I was basically explaining to her how they was trying to redevelop or put a workforce or something there. She told me, she said, it has been 12 years since this has been closed down. It needs to be something done. It's time for a change. Right now she actually is the Director of some of the part of Staunton in the Deaf and Blind School in Staunton, Virginia. Her co-classmates are also on the board. They asked me, hey, how is things going? I think it's time for a change. I know there's a lot of races and this and that and da da da, but for our citizens it's time for a change. Because you can go down Shell Road, you can go down anywhere else, it's people out there with signs up begging for what, money. They begging for money you get them a job, you get them a job they get a trade. Some people don't want to go to college, some people want trades. So I understand the citizens of Hampton and it's going to be a lot of different traffic but it's time for a change. And plus, it's what, \$800,000, a million dollar revenue, but also it's a monumental for the deaf and the blind. I remember my parents would pick my Aunt up and drop her off. Another thing about it, I'm speaking for behalf of Clifton Thomas. I don't know if a lot of people probably know Clifton Thomas, he's been 30 years as security at the Deaf and Blind School. He died three years ago. Another

guy named Mr. Cooper, he probably couldn't be here today. He also was a security guard, so he wants to see something happen for the deaf and blind. So I'm speaking on behalf of the deaf and blind but I'm also speaking, we need jobs. Thank you.

Mr. Carlton Campbell greeted Council and made the following statement: I have been living in the City of Hampton now for about 18 years. Mayor Tuck, Vice Mayor Gray, City Manager Bunting and members of the City Council, thank you for the opportunity to speak on today's rezoning proposal. As many of you know I have served on the Planning Commission, from 2010 to 2017 for six and a half years, and I served on the EDA from 2017 to 2021. As a result, today's subject is not new to me. To refresh my memory on what was discussed during our meetings, I went back and I looked at the meeting minutes that were available through the Hampton.gov website. Of note, on December 1, 2016, the Planning Commission heard about this comprehensive plan change and voted to approve it. No members of the public spoke in opposition on that day. On January 11, 2017, it was heard before the City Council. They voted to approve the comprehensive plan change after it was noted that the Hampton Redevelopment and Housing Authority reviewed the site for possible residential use, but no viable solutions came forward. According to the meeting minutes, no members of the public came to speak on that topic. For tonight's meeting, I read through every letter of support and opposition that was submitted to the City Council and/or Planning Commission that was posted on the Hampton.gov site regarding the rezoning application in consideration. In the letters of opposition, all those that had submitted these letters had expressed themselves professionally and passionately, outlining legitimate concerns of neighborhood improvements they would like to see, safety of the community, historical relevance of the site and the outcome of paths redlining decisions that created the community that exists today. In letters of support, I saw where many of the benefits of the project were conveyed as well as specifically addressing the concerns expressed by those opposed. I know Greg Garrett. I know that he has personally gone out into the community to talk to members in that community about the project. Did he receive some opposition? Absolutely. But he took note of those concerns and tried to make sure they were addressed in his plan. NorthPoint Development, top of the industry. Fortunate to have them to be a part of this opportunity, but like Greg, they have come to understand the concerns of the community and have tried their best to ensure they address them in their site plan in the proposed proffers. So on the other hand, I completely understand how putting a low or light industrial facility in the midst of a predominantly black neighborhood could conjure up past images and subsequent feelings of redlining. Because, it happened. But I can tell you with complete confidence that this project is not about redlining. I ask that you vote to approve it. Thank you. Mayor Tuck stopped Mr. Campbell from proceeding as his allotted time had expired.

Ms. Nikia Miller made the following statement: The last two months have taught me so much about our City. The alliances, the easy ways to become persona non grata and how people in power are people with money, position themselves to control the lives of the few. Here we are to discuss the property that used to be the Virginia School for the Deaf, Blind and Multi-Disabled. No one in this room can disagree that the historical importance of keeping this property as a community service versus turning it into a City cash cow would be better for our City. What is the expectation of our elected officials? Whereas our City standard bearer says that the City of Hampton and the City Council have nothing to do with Hampton City Schools, yet in community forums over the last two months, these electeds fell all over themselves to discuss the buddy system between the City Council and the School Board. It amazes me that a community plan to preserve the service to the community that this land could provide as well as the educational resources it could be used for to aid our community and its children, could not be reached. But, is the concern of our City's citizens important? Does the City of Hampton care about anything other than dollars and cents? When the needs of our City are paired against the tax revenue, the objections are as empty as the wasted paper of the Hampton democratic sample ballots. Re-elected and newly elected City officials made commitments to the people of Shell Road that they would have the people's best interest at heart in all decisions. Was that promise empty words just to garner votes, or did you mean what you said? The safety of our community is at hand. The buddy system is at play. I ran up against excuse, after excuse, after excuse when I questioned your ethics around safety. The current election proved that City Council persons can be elected to make decisions on their family member's budgets. Where do each of you stand? An 89 year old woman showed me that you can stand up and stand for something when the odds are stacked against you. I live in a City where an unknown can march beside an army of over 15,000. I hope it's understood that the same people who elected you this time can stand against you the next time due to your tone-deaf responses. Be mindful of that as you make your next move.

Ms. Michelle Ward greeted Council and made the following statement: I am addressing you as a former manager of the Virginia Employment Commission of a heavily industrial and blue collar area of Virginia. Upon my research of this proposed project and of NorthPoint, I would like to list my reasons of support. Never in my career have I seen a workforce development center of 1,000 square feet, much less, 5,600 square feet built in a commerce or industrial park. Never did I imagine of a landlord of industrial buildings would require their tenants to agree to review employing those citizens of the City for the first two weeks of a job posting. Do you realize how quickly the unemployment rate can change from three, to six, to nine percent? I have lived through those high unemployment rates and seen the line of scared and desperate people outside of the VEC an hour before we even opened the center. If you think things cannot change quickly, think about how the interest

rates of mortgage have gone from 2.5% to 7.25% in less than a year. During the 2007-2009 recession, the unemployment rate more than doubled. It went from five percent to ten percent which meant that more than 1.5 million people were unemployed. Specifically, the City of Hampton went from 4.7% to 9.7% during 2008-2010. Two hundred and fifty jobs will make a difference but having a workforce center for all Hampton residents will prep them, give them the training and certifications they need before the job postings, will have a win for citizens and employers. If this commerce park can employ 200+ people, can you imagine if one of those people that kept their job during the next recession or one of those people that received a job after being unemployed or even under-employed for six months or a year or more? I hope City Council will have forward thinking and is interested in providing workforce solutions ahead of having workforce problems, which cannot be solved in a short time frame. I hope all of us have done our due diligence on NorthPoint as a developer as I have. I discovered by looking at their information and their website they have some core values that are simple. Put people first, do the right thing every time, take ownership and live generously. If you have noticed on their website, their motto is "go beyond the contract". View their community stories where you will find they have been part of the Women's Employment Network, Special Olympics, Catholic Charities, and even packed 252,000 meals in 2022. In my experience, developers with these values and their reputation are very far and few between. There is even a city testimonial such as the Mayor of Felton, Missouri who calls NorthPoint "genuine, real and authentic and they all are the catalysts in their community." If you get NorthPoint you've got development. Thank you. Mayor Tuck stopped Ms. Ward from proceeding as her allotted time had expired.

Mr. Travis Hall greeted Council and made the following statement: I am the Executive Director at Faith Recovery. Faith Recovery, formerly Youth Challenge, has served the Peninsula for over 40 years helping people struggling with drug addiction and trying to get their lives back on track. We work very closely with Hampton Courts to help Hampton residents who have found themselves, because of their substance abuse issues, incarcerated. They have an alternative to that and they can overcome their struggles and become better people. The substance abuse and mental health population in the community is really greater probably than a lot of people realize. National statistics show that right around 20% of the population struggles with some form of substance misuse. So that certainly is something that really can't be ignored and unfortunately, with that becomes behaviors that often, again, lead individuals to find themselves incarcerated. Recidivism is a real problem in all communities and the leading, one of the leading causes of recidivism is the lack of the ability of someone to be able to find gainful employment. Someone that has a less than stellar background, whether they are a convicted felon or they are just coming out of a long program or they are just getting out of jail, whatever it is, those opportunities certainly are limited for those individuals. In my conversations with those that are

involved with this project, they have said there will certainly be opportunities for those individuals that have had less than stellar backgrounds to find employment opportunities. Which would be great for them so they can improve their quality of life, the quality of life for their families. These aren't bad people, these are people with mental health issues that certainly just need some help and a chance. And it sounds like this is an opportunity for them to have that chance to find employment. In addition to that, the workforce development part of the program and the vocational training also provides that training to again make them more employable and give them a chance to become homeowners, become supporters of local businesses, tax payers and certainly and most importantly, improve their quality of life. Thank you for the opportunity to share.

Mr. Ed Ashley greeted Council and made the following statement: I am with the York River Group of the Sierra Club and we oppose this proposed rezoning for a number of reasons, mostly health and environmental. From a recent Daily Press article, "As warehouse construction has ballooned nationwide, residents in communities both rural and urban have pushed back. Neighborhood apps such as Nextdoor and Facebook groups have been flooded with complaints over construction." That was just in the Daily Press last week. I have indicated in the following text that you have, where some of your guidelines apply to what I am going to talk about next so you can kind of follow along the document which I sent before. The proposed project brings a big disruption to a historically quiet neighborhood. Instead of a park for the community they will get two huge buildings, lots of additional truck traffic, exhaust, noise and hundreds of people who work at the complex driving through the Wythe neighborhood. This is on top of the air pollution from I-664 that wraps around the neighborhood. Additionally, the dust from the Dominion Terminal blown by the predominant southwesterly winds across the area. As you may be aware, the DEQ (Department of Environmental Quality) is putting monitoring into the Newport News southeast neighborhoods to figure out what the distribution of that coal dust is for monitoring over a number of years. With a significant elderly population, 18% are over 64, clean air and water and hazardous waste management is critically important to maintaining the health in the community. Warehouses of the proposed size carry environmental impacts to nearby natural and built environments. Increased hazardous waste, increased diesel particulate matter exposure, ozone increases, potential flooding from the large roof and paved areas, and wastewater discharge, those are major environmental impacts. The 66% black Wythe population already bears health disparities above the state and national averages, as Dr. Finn pointed out earlier. With air toxics cancer risk in the 81 percentile, Wythe is a cumulatively disadvantaged community already suffering from EPA environmental indications for hazardous waste, diesel particulates, wastewater discharge, ozone levels well above the 50 percentile range and many in the 80 range, hazardous waste proximity 91 percentile, lead paint 91 percentile and those are examples of the current burden

this one community bears in environmental impacts. I think the City should focus on keeping industry in already zoned industrial areas like Copeland Industrial Park where you can look at some of those empty warehouses, consolidate things there, put it in an area where it's infrastructurally appropriate. Thank you very much. Mayor Tuck stopped Mr. Ashley from proceeding as his allotted time had expired.

Mr. Raymond Johnson signed up to speak, however, when his name was called he did not come forward.

Ms. Stephanie Green greeted Council and made the following statement: I am living a nightmare right now. I am awakened every morning, dump trucks, tow trucks. I have a home between rezoned businesses. This is what awakes me every morning, my family. I don't even have to set the clock. I'm hearing the beeping, I'm hearing the dump trucks hitting the West Pembroke Avenue and I'm living that nightmare right now. I'm not against money revenue for us, our City. I'm not against that but wouldn't it be better if we use that area for residential purposes, for thriving families to live, a place to live. And then we can also include such as a community building there, a center that can help all members of our community. And these homes would have the revenue for taxes to bring money in but it would benefit citizens, us, me, you. I'm tired of, I don't want to move. I love Hampton. I don't want to move from my neighborhood, it's an old neighborhood. I live right there on that corner of this proposal. I am against that development of Phenix NorthPoint. I'm not against our City bringing in revenue. But please, let it be for the families to thrive, for all of us, but not for a time clock of dump trucks every morning. Thank you.

Ms. Cathie Vick greeted Council, congratulated Vice Mayor Gray and Councilman Brown on their re-elections, and thanked those who decided not to run again for their service. She then made the following statement: I appreciate the opportunity to come before you, I think it was about a month ago and give you updates on what the port has been doing to really develop and respond to the surge in cargo that we have seen over the last couple of years during the pandemic. You may recall we have invested \$1 billion already and have another \$1.4 billion planned in order to add capacity at our terminals in order to continue the prosperity and growth that we have been seeing. But, as has been noted by some of our previous speakers, we need partners with our localities across the Commonwealth to really develop product. What we've seen is the competitiveness of our port and of the economic development for the Commonwealth against our competitors. Like in Charleston and Savannah for instance, is really having that product available for these developers to come in. We talked about last time, and if you think about it, with the change in consumer behavior we have to keep pace with that in order to continue to attract jobs and investment. Yesterday's mall is today's fulfillment center. We now sit in our homes and we point and we click and we want the convenience of that. In order to do that we have to have these types of developments. I have to tell you, we work with

a lot of developers who want to invest, and turn around after they've made their profit and leave. I think what's been noted about NorthPoint should not be ignored. That they held six public meetings, they intend to stay in this community, that they listened, they made adjustments to their plans, the sound wall, the landscape buffers, the LEED building, the limited access on Aberdeen Road. All of these things are because they listened. They didn't just come in and say this is what we are going to do, cookie cutter because it's how we do it everywhere else. They want to be part of this community. So we ask that you say yes to those jobs and investment, you say yes to continuing to partner with the port and increase our competitiveness and yes to being a strong partner with NorthPoint. The last point is the workforce development that we talked about at length, that these jobs, if you look at the horizon they are ninety cents to the dollar to manufacturing jobs. The growth over the next ten years is projected 11.4% in logistics and warehousing, only two percent in manufacturing. This is the low-hanging fruit so we have to embrace these opportunities when we can. This workforce development center that they are putting in will not just benefit the tenants at NorthPoint but all across Hampton. So again, we appreciate your time, attention, and consideration and ask that you vote yes. Thank you.

Mr. Dave France greeted Council and made the following statement: Thank you for having me. I am a civil engineer and my practice is in doing industrial development around the country. The company I work for, I've been lucky to be involved in developments all over the country but my office is here in Hampton Roads. So, as a member of this community, it is really near and dear to my heart that we have projects like this that we can bring forth for our community. As Ms. Vick just mentioned, the growth in the port has been tremendous, a long time coming and has really changed the dynamic of what we are seeing in this community. I want to applaud the City Council for the decisions that they made several years ago. They had a crystal ball that they didn't know they had when they decided to determine that this land's highest and best use was for investment in economic development. That, coupled with the growth of the port, with the investment of VDOT in expanding the HRBT, with the pandemic that none of us knew was coming, has really fundamentally changed the dynamics of logistics in our community. We were at a meeting a couple of weeks ago with the Hampton Roads Commercial Real Estate Association, the HRACRE group and the point was made well that the 64 corridor is where the growth in logistics is going to happen. There have been numerous articles recently, hopefully you have been following, about the amount of lack of readiness of available sites that we have in our communities. In communities like yours that are very built out, it is really, really tough to find a spot. So, I don't want to belabor the point much further. I think that this is a fantastic location. It has been very well planned. It is fully supported by your staff who has done a wonderful job of reviewing the application and we would really appreciate you following through on that vision that the Council

had several years ago and vote yes on this rezoning. Thank you very much.

Ms. Diana Bryant greeted Council and made the following statement: Thank you for allowing the residents who live and whose lives will be affected, those concerned individuals, and those others that have an interest in the property, formerly known as the Virginia School of the Deaf and Blind. Or, I should say, the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton. Growing up in the Wythe area on Bay Avenue, you could walk to the bank institution where I first opened up my first banking account. You could walk to Woolworth, do all of your shopping. You could walk to the grocery store and get all of your groceries. There was a movie theatre, and there was also a store that you could buy your records and different items, right there. That community was thriving and you didn't have to go far to enjoy all the benefits. Once you didn't see, I don't feel the need to highlight the significance of the school to the board. Prayerfully, you all have already done the research, gathered facts, heard so many additional information and I have come to the conclusion that this is an American history. Not just for the people of color. I received notification from NorthPoint that they were inviting the residents to come to Third Baptist Church, which, coincidentally, was located at Wine Street before its current address between Cottonwood and Victoria Boulevard, so they could share what they intended on building on the site. That made me feel like, well, I thought, they're interested. They want to hear what the residents actually have to say. Well, when I asked the representative which businesses is interested in coming, the reply, "we don't know exactly." When I asked the next representative at the next station, "What do you know about the streets that flood? What do you know about the streets that have the streetlights that we are constantly having to call Dominion to come out for?" The reply, "no to neither question." When I asked the next representative at the next station, "You know what, I see these wonderful numbers that you all have displayed. What benefit would it be to me as a homeowner and tax payer?" The reply, "No benefit actually." When I went to the last station I asked the representative, "How much traffic do you see on Pembroke and Aberdeen during the morning and evening hours?" Well, couldn't answer that question either. If the interstate is backed up and the vehicles are redirected from Powhatan and Pembroke intersection, what about that traffic adding on to those cars getting on and off the interstate? Thank you. Mayor Tuck stopped Ms. Bryant from proceeding as her allotted time had expired.

Mr. Deon Thompson signed up to speak, however, when his name was called he did not come forward.

Mr. Aaron Weaver greeted Council and made the following statement: I have been coming to you all for months to voice my opposition for the rezoning but I have not only been coming to voice that, I have been explaining the why behind it. From 2013

until three years later in 2016 the City transferred this property to Economic Development, August 17, 2016 to be the exact specific date. I say that because then, the Planning Commission meeting was in December that nobody had known about which we told Ms. Bunting at one of the five meetings that we went to. And then also in January, there was no notification because the City does not do the signs as we were told, so it's either paper or the internet website. Fast forward, we gave this a shot now, it goes on for seven years. We are literally watching as houses are being developed and put in places where they do not belong, i.e. one house there, three houses put in where a spot with one house is. I've come giving you examples time after time. The City's fiscal year 2023, \$500 million budget was the strongest budget and revenue growth that the City Manager has seen. Going down to page eight and nine it talks about how the 230 square foot warehouse was just built for that project. Then it goes on to talk about our project, which the prospect is currently engaging surrounding community on their vision for the property. On those five meetings we explained that our vision for the property does not include warehouse distribution or light manufacturing. The five meetings were not engaging in the vision for the community, they were conformity and support meetings. When we made it crystal clear where we stood with that, as was demonstrated in the Planning Commission as what you see here tonight, it is being bought, support is being bought from outside the community. They have the same exact scripts and say the exact same words, but as you noticed, the residents are very detailed in our words because this is the risk that was explained, this risk is our life. This is a speculative warehouse so all these great things they are saying is speculative. Nobody has an initial agreement at all. So we're supposed to rely on that. The ability for 24/7 trucks and vehicles which that presentation the man put up there, had it at 55 when there was a dump truck that was at 100. So we are trying to, we are being told to expect NorthPoint, to rely on NorthPoint to do these things when that is the City's responsibility. We are coming to you all for protection. Thank you.

Ms. Joan Weaver greeted Council and made the following statement: Sixty plus year resident Hampton, Virginia, very much opposed to this project. To hear what has been brought to us tonight has been a slap in the face of the Virginia Employment Commission and Virginia Peninsula Workforce Development. NorthPoint is not the alpha and omega for us regarding jobs. The Virginia Employment Commission, job search assistance and referrals, referral to training programs, work opportunity tax credit programs and they do work with employers in the area. Peninsula Community Workforce Development, we have it here and it's no way in God's name you are going to make me believe that if NorthPoint that had not gotten here we would have all fallen under. It ain't so. It ain't so. Let's get back to their promises. They are a Trojan horse and the hell that will break loose when they get in the community, our faces are going to be the ones that suffer. You all come and go, you come and go, but we are there for pollution, traffic, and travesties unbearable. So, no, NorthPoint

is not the end-all. Let's correct it, the greatest economic driver of employment in Virginia is Huntington Ingalls. If you want a job, there are jobs here. Go visit the VEC. Go do your search and your research. NorthPoint is not what it's cracked up to be. There has been no respect given to our quality of life. Greg Garrett, NorthPoint, the developers, what do they talk about? Dollar, dollar, dollar. I am talking about our lives, lives, lives in the 23661 Hampton area. So don't believe the hype and don't believe the lie. They cannot guarantee what the employers would do once they get there. They can't guarantee pollution, noise and who in the heck wants to come up to a ten foot wall? Vegetation does not stop sound. So, no, it ain't so. We are a proud people and we have come here respectfully every week, well not every week but during every meeting. But let it be said, live and let live. You don't want it in your neighborhood and neither do you. We don't want it either. No to NorthPoint. Thank you.

Ms. Tyla Matteson greeted Council and made the following statement: I did pass out two handouts. One of them is on behalf of the Sierra Club and as the Chair of the York River Group of the Sierra Club, represent several hundred people in the Hampton area. We are opposed to this rezoning and if you look at this colorful one that you might find that was passed around during the break, it's got interesting information about how much particulate matter is located there, would be created, how much ozone. These are, this is an area that is already under stress and this would add to the stress, I feel kind of nervous, sorry. But I think that you could take time to look at all of this information to find other places where you can have developments. You can do, you can redo parts of Copeland Industrial Park. If I just read a little bit I can do this a little bit faster, sorry. Dr. Finn and some of the other speakers told you about the pollution that is already there and how this would increase that pollution. The noise pollution, the air pollution, the particulates, and the general health of the people living in that area. They need to be respected. This is an environmental issue, an environmental justice issue. So again, on behalf of the Sierra Club, York River Group, which is an environmental group, we care a lot about health and environment, of course. We support the position of the Virginia School for the Deaf and Blind Community Advocate Group, which is in opposition to this rezoning proposal. Just let me know when my time is up but, I'll just keep on going a little bit here. The environmental injustice that would occur is apparent with two very large warehouses, loading zones, accompanying 18-wheeler tractor trailer traffic, noise pollution from truck idling. Thank you very much. Mayor Tuck stopped Ms. Matteson from proceeding as her allotted time had expired.

Mr. Michael Kee greeted Council and made the following statement: I have been fortunate enough to work a large part of my life in logistics and shipping at a high level. I've also worked in the Finance Department for the City of Hampton and also I was a building inspector. I did a lot of work for the City of Hampton so I know a little

of both. Sometimes we just need to talk about things, there's an old saying, like it was just two years old so everybody will understand. As far as shipping and logistics go, we know when we start off we're at one level and as we progress, if it's successful, it's a larger level. So what we start off as, maybe 10 will turn into 20, if we're successful. And then it turns into 50 if we're successful. So it really can destroy a neighborhood. The second thing I want to talk about is sometimes it's just not right. It's just not right to do certain things. We know that 250 jobs is what we're speaking about. First of all, when these companies come in, I've worked for them, 50 of those jobs are going to go to high-level office. And then they're going to go to some of their friends and by the time we get down to the workers, it's going to be a small amount of people. We also talked about the amount of money that the workers will make. We also know that the workers are not going to make \$20, \$25 an hour. We look around in Hampton, we've got restaurants looking for people to work and they're starting off with \$12, \$14 and sometimes \$15 an hour now. So it's not a huge draw. Also we know that we do need housing in this area. It would be best that we put a community there with a school there. We're going to be looking at needing another school in the next what four, five, six years. That's a great area for it. So I just, you guys have been doing some great work. I say to build community neighborhood centers that we're doing, allowing companies to come in and use structures that we already have here. And people have made some great points. We've got empty warehouses all over Hampton. So we need to utilize those. But I'd like to say that we shouldn't do this. And sometimes like they say, in simpler terms, it's just not right for us to do. And I don't think I really need to say any more. We voted you guys in, you guys are intelligent people and that's why you're sitting up there and we use you. Hampton has always been built on the people, black, white, all kinds of people Hampton has been built on. This is not a high commerce production area. This is a City of people. This is what drives this City is people. And we don't need that huge warehouse. From where it will start, in five years it will be something else and in ten years it will be more. So, I beg you guys don't do this. You guys are smart people and you're doing great work in Hampton, but this is not it. And you'll notice a difference also in the people that speak. A lot of these people that are speaking for this project are recruited to come in. They're not Hamptonians and they don't speak for the same conviction. Thank you.

Mr. Devin Turner greeted Council and made the following statement: What I want to speak to you guys about is the community really doesn't want this. I am in the 500 block of Greenbriar and this would cause a major pain for me. So, I wanted to make sure I pointed this out to you guys that you all took an oath of office and you all work for us. Remember that before you cast your vote. And also remember when you take your oath of office and you break your oath of office, there can be repercussions. That's financially, and everlasting. Just remember that. Thank you for your time.

Mr. James Eley greeted Council and made the following statement: I am an 80 year old citizen of the USA. I used to live around the Shell Road vicinity many, many years ago. I am very familiar with the area which we are concerned about. I am in great favor of the rezoning request at 700 and 750 Shell Road. I believe this rezoning and the proposed project by NorthPoint Development will bring long overdue economic opportunities to the edge of our neighborhood which I enjoyed for many, many years ago. This has been overlooked for just far too long. I understand the property has been vacant for well over 12 years now. Unfortunately, it has been serving as a dumping ground for Newport News people who drive down Pine Avenue. I would be very happy and proud to see this property turned into a clean industrial development for the right kind of jobs for our citizens. I just love the fact that there is going to be a workforce development center built there in our neighborhood and very happy to know that all the trucks are going to be coming down and going down Aberdeen Road and not Shell Road. Our City needs the tax revenue and our friends, families and neighborhoods, we need this very much. Very much needed. The jobs that will be available also. I also love the fact that the City is going to be putting 10 acres aside for some type of park for the children and our families or something special to honor the legacy of the Virginia School for the Blind. Thank you very much for concurring with our wishes and prayers.

The Mayor closed the public hearing.

Mr. Gloyeske spoke in rebuttal and indicated that a revised proffer limiting construction traffic on Pine Avenue had been drafted and agreed to at the time the presentation was made.

For the record, City Manager stated that a motion and second would be needed to approve item 22-0290 with twelve (12) proffered conditions to include the amendment offered by the applicant at this meeting, to condition 3B pertaining to construction vehicle access to and from the property. That amendment being, "Initial delivery of construction equipment may occur with ingress and egress from Shell Road, however, a construction entrance from Aberdeen Road shall serve as the only entrance to the site during the construction period. Such construction entrance shall be depicted on the approved site plan."

The Mayor requested a motion and second. A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Rezoning be approved with twelve (12) proffered conditions to include one of the proffers being amended with language as read by the City Manager.

The Mayor opened the discussion period.

Councilman Brown offered the following comments: I just want to make a couple of statements here. I have had an opportunity to talk with the residents for some time on this project. I also went to several of the community meetings and talked to the developer, had conversations with the developer. I want to make this clear for those who are listening and those in the audience, I am pro-business. I believe that we need to produce revenue for our City. As a former director of Workforce Development, I understand skill, training people to get the job of choice with a decent wage, decent certifications so they can take care of their families and earn a good wage. I support all of that. I am pro-community. I think when a community speaks, people live in this community and have many, many concerns about this particular project. You know, it is amazing when people come here and they tell you, please, please, please support this project and you're saying in many cases, please, please, please but not in my neighborhood. Because if the shoe was on the other foot, maybe folks who are speaking, and I understand and respect your right to speak. We all have an opinion about things, but I wonder if you would build your dream home and look in your backyard and see this massive manufacturing structure, 16, 18 wheelers emitting combustible gas. The environmentalist who spoke from CNU, I believe, I am going to tell you, he scared the Jesus out of me. And I'll tell you the reason why. As he talked about the different contaminated soils, the life expectancy of people who live around manufacturing plants is seven years less than the average person. He talked about asthma and certain health conditions. It is very concerning. I grew up a stone's cast from the school, on Victoria Boulevard, Victoria and Concetta. I went to Greenbriar Elementary School there so I am very familiar with the School for the Deaf, Blind and Multi-Disabled. I spent almost 30 years working with Dr. Christian to save this school. Our last ditch effort was to go to Richmond and to lobby there in Richmond. One of the Senators there in Staunton had the majority and the school went to Staunton in 2008. I understand building and I understand the importance of development in communities, but the community has a voice as well. They live, they work, they invest, they play there, they grow their children there. When I hear air quality assessments, the assessments done at Langley to determine what happens on Shell Road? It concerns me. And then I am concerned about the jobs. This project started with 450 jobs, then at one meeting it went down to 250 because 200 were temporary jobs. Most people who work in manufacturing in industrial jobs, the higher paying positions are those of managers and supervisors, IT people, quality control. They get the higher wage. What I call the worker bees, blue collar folks, the wage can be so low you can be working poor in many cases. So, I am probably not going to be in the majority here but think about this, is it expedient for me or is it right? And I am not in a popularity contest so it really doesn't matter how popular I am. I want to be impactful. Tonight I have heard from both sides. As a matter of fact, I kept score trying to figure was there a balance there. Who had the majority? Everybody speaks from their own experience. A lot of the speakers who spoke tonight are business people, developers, entrepreneurs,

organizational executive directors, but not many, many live in the Hampton, you don't have to live in Hampton, but have a vested interest in this project. So Mayor, I want to thank you for allowing me to speak. As I have in times past, I certainly cannot support this project moving forward. Thank you.

Councilman Hobbs offered the following comments: I heard everything everybody said tonight. I kept score too just trying to listen to the good points, the bad points and I have to tell you, as a point of personal privilege I live in a neighborhood that we have a facility something like this, less than a mile from my back door. Huntington Ingalls built a beautiful facility, an unmanned submersible research facility in our neighborhood. It is less than a mile from my back door. They have about a four story tall storage facility in the back, it is a warehouse where they bring things in. They do light manufacturing there and do research. So, I get it. I understand. There is a little extra traffic now. When you are going to work in the morning, I go pretty early, there's tractor trailers coming in and out and they are dropping stuff off. But we have all learned how to live with it in our neighborhood. The noise is not that bad and I am hoping the same thing for NorthPoint. From what we have heard that is what they have got planned. But I do understand what you are saying and I do understand your concerns. I have had those same concerns. Our neighborhood, we would all sit around when they built the walls up, the soundproof walls have helped out quite a bit. I hear more of the kids racing up and down Neil Armstrong Parkway at night than I hear from the facility over there so I understand where you are coming from and just know I am one of those people who was apprehensive about my neighborhood too.

Vice Mayor Gray offered the following comments: This project or this site, goes back, in terms of development, several years when I remember another company was interested in doing a similar development there, maybe 2013-2014, somewhere around there. I don't recall that the same amount of opposition existed at that time and I sat in on a community meeting at the Phenix School. So, for some reason that developer withdrew their application, changes in the economy or whatever. So here we are again today, with NorthPoint proposing a similar project which I think and I thought at the time is a great idea. Only because, I want everybody to understand that this Council, when it comes to sensitivity to environmental justice issues, one that exists right today here in our community is the firing range located in the Old Northampton neighborhood and the residents and kids that have to live there and listen to that. That is coming from a City government operation, the police department's firing range. I have never been comfortable with it and the neighbors have complained about it for years and Council has heard those cries for change. We are in the process of designing and building a new firing range so that we can move that firing range out of Old Northampton. Dr. Christian's neighborhood, by the way. I know she has been mentioned several times. Her and many other community

advocates talked about trying to get rid of it so, the fact that we are not sensitive to issues of environmental injustice I think is incorrect because we are. This project, when I began to read and hear the neighbors, the community's concern about it, they gave me concern. As the development began to move and the developer began to offer changes to the project to try to mitigate some of those issues and concerns that they had. I think they have done just about everything that we and the community have asked. Even up until tonight because one resident from the community said that I am concerned, and I know someone spoke on this, the concern about construction traffic during the construction process in the neighborhood. Which is the one issue that concerned me the most which on a large project like that, it is going to take several months, maybe up to a year, I don't know what the development time is, but it is extensive. So, to have to listen to dump trucks and construction equipment all the time, is disturbing to the neighborhood. So, I asked for this evening, an additional proffer or condition or an amendment to the condition to do something about the entrance on Aberdeen Road early on in the project so that those trucks and so forth don't have to come through the neighborhood. I don't think based on what I've heard, that the truck traffic and additional traffic in the community and through the neighborhood streets, you can't help when traffic backs up and there are accidents on the interstate. Those kinds of things are going to happen. But from this project, I don't see the traffic impact that I think a lot of people are concerned about. So I think that they have offered everything. Lastly I want to add this, when we talk about tax dollars, I wouldn't want to approve a project solely for just the money but as has been stated by several other speakers, Hampton is almost a fully developed City and we don't have many opportunities to begin to create some balance when it comes to tax revenue in our City. The majority of our revenue comes through real estate taxes. I hear over and over and over again from citizens who have paid for their homes and they're retired and have to write those checks out for real estate taxes twice a year. It's a burden and I understand that but we just can't reduce taxes without having ways to replace that revenue. So I think the obligation for us is to try to find more commercial opportunities so that we can reduce the burden on real estate taxes. That is really one concern of mine too. Not to do it at the expense of your neighborhood, but just generally speaking we've got to find those. I know that there has been discussions about wanting to have discussions or community meetings to talk about residential development, but I think what we heard from those who are speaking on behalf of the community is that unless we wanted to talk about residential development, there is no need for anymore discussions. I think that the development that has been proposed is the highest and best use for that property and it can be built without many adverse impacts on the community. For that reason I'm prepared to support it.

Councilman Bowman offered the following comments: In October of 2022 I sat through a five hour Planning Commission meeting with most of the discussion on the

development of the previous site of the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton. Thirty-four citizens signed up to speak and of those that spoke the majority supported this development. That's an indicator. This development has been supported by the EDA and the City staff. The Planning Commission narrowly voted 4 to 3 recommending denial. I've not received the first e-mail, phone call, text, or stopped in the grocery store voicing concern over this development. This is an indicator. The developer has addressed all environmental justice issues including air quality, traffic, lighting, and sound studies. All are at or below acceptable levels and standards. A proposed new entrance off of Aberdeen Road projected at a cost of \$1,000,000 will afford tractor trailer truck entrance and exiting without being on any residential neighborhood streets at any time. Tractor trailers are required to be clean idle burn certified, minimizing particulate into the atmosphere. I've cleaned the site of litter, tree limbs, and brush over the past years and recently toured it. This site directly impacts eight residential homes. With the proposed sound bur, sound wall and trees recommended, impact on these homes has been minimized. Approximately 200 jobs will be created with an hourly rate of \$20 per hour. NorthPoint will build a 5,600 square foot workforce training center, assisting surrounding neighborhood citizens with improved workforce skills or development of new skills. This development has set aside 11 acres for a park. Some suggestions have been a playground for the multi-disabled, swimming pool, walking path, seating and lighting, and placement of a monument. Neighboring citizens will provide input on the development of this site. This facility will have bicycle and walking trails, and there's also a five acre tree conservation tract. This is a clean manufacturing development with no environmental impact. NorthPoint will give Hampton residents a two week preference on the new jobs before opening to the public. They have a SWaM goal of 12% that's being targeted. Buildings will be LEED certified and capable of solar adaptation in the future. NorthPoint is offering a \$100,000 contribution to assist with this project. I've been involved in over \$300 million of capital projects in my career and I've never had a developer offer such a contribution. I want to thank and commend NorthPoint. This development will enhance the neighboring homes, it will result in an economic impact to Hampton, the region, and the Commonwealth. Lastly, if this development were to be located in my neighborhood I would support it. Therefore, I support this development. Thank you, Mayor.

Councilwoman Brown offered the following comments: It's always difficult to make land use decisions as one of the speakers said. There are many, many factors to consider. I want to thank everyone for your commitment to Hampton, for your devotion to our City, and to our citizens. I was on the Housing Authority at the time that the HRHA did this study. I was on the Housing Authority for seven years, then I was on the EDA for four years when the EDA got this property transferred, and I've been on council for four and a half years. It's been my privilege to serve. This is my

second to last meeting. I've been very concerned about environmental justice. I've served as the chair of the Virginia Outdoors Foundation. As many know, I'm very concerned with resiliency and how we deal with our built environment. This project, I believe, will be an asset for our community and I love the speaker who said "yes, and." It's very important, it was very important during those original discussions way back in the 2000's when we had conversations about how we would honor the use of this property. The 11 acres that we are retaining must be used to honor the memory and the legacy that so many have so eloquently shared this evening. I remember when I was a child that our church visited the Deaf and Blind School, our youth group, and it was very impactful to me personally. I believe that legacy is important on many levels because of the unique nature of the opportunities that were granted for persons there who would not have had opportunities otherwise. I respect Dr. Christian's devotion to this and I think we can honor that with the "yes, and." And I'm going to support it.

Councilwoman Ferebee offered the following comments: As you all know, I've only been on the Council for 11 months and this is my second to last meeting. This is by far the most difficult decision that I've had to make since I've served this community. I am a lifelong resident of Hampton. I grew up in Aberdeen, in East Aberdeen, not Old Aberdeen and I love this City. I was on Economic Development Authority for eight years when this project first was in the early stages of discussion. I had the privilege to drive and ride through the old Virginia School last week. I've driven around the neighborhood. I've driven up and down Pembroke Avenue. I looked at the Hampshire property. Beautiful, \$400,000 plus homes that back up to, it looked like to me, some sort of industrial. You know not a place either that I would be favorable to have my backyard up against. However, I did notice the foliage and the buffers that were around that neighborhood and I can understand with those beautiful homes how some people wouldn't mind living like that. So I think there are other examples in the City where neighborhoods much higher in value are surrounded. In that area, that Pembroke Avenue area is very mixed with industrial. I do understand the history as a black American, for why some of the neighborhoods are the way they are. I prayed over this and I really want to challenge NorthPoint and the City as I move off as a member of City Council, to continue to work together to address and to continue to address the needs of the of the community that's next to that development. I wish I could go back 10 years or 14 years and we could have those discussions and find a compromise and I know how important it is that we have a balance of industry and economic development to try to relieve the real estate tax burden that we have. So I am going to support this and with a heavy heart I'm going to do so, but I will continue to see what's happening in that area. I implore the City and NorthPoint to continue to do what you said you're going to do in support of the City and to not sell the property and to continue to be part of the community. So I will be watching and I have confidence that the City Council will continue to do so and

the City Manager will. I really appreciate all who've come and participated in this process. This is your right as citizens of the City to express yourselves. I also looked at the balance of people who are for and who are not for it, and not everyone that was for it were part of the corporate folks that came. So I do feel like there was some diversity in some of the people that did support it. So again, I am, with a heavy heart, I will support this project. Thank you.

Mayor Tuck offered the following comments: I have been thinking for maybe about two weeks about what I would say this evening. Let me say first of all that I've read all the emails, I've heard the presentations, and I've listened. Only Councilman Hobbs, probably has gone through more rezonings than I have. Actually, he hasn't, he's come close, but I've got about two years. In those rezonings, and I was almost always a consistent no and I can tell you why. Because I always felt that residents should feel that this Council had not made up its mind and that there was one person at least, and maybe I'm puffing myself up too much, but least I was that one person who would listen to those residents who had reasons for voting against things. I can tick off the names of those things that I was no vote against. I can also tell you that the people who had the concerns have not come out again since those things were put in place. We can talk about Wawa that split a whole neighborhood. We can talk about the Rite Aid that moved out of Willow Oaks Shopping Center. We can talk about the E-Commerce Center in Todd Center. I can go on with others. I also talk about the ones that I supported. In almost every situation it was the noise, it was the traffic, it was possible pollution, it was crime, and it was the quality of life that we diminished. All I will say this evening is that I support this project and I support it because I don't believe anyone on this Council would vote for anything that would result in a diminished quality of life for any neighborhood. We have, as one of our strategic goals, family resilience. We've heard the numbers, or percentage of people who are impoverished in our City and in that area and we know that throughout the City we have concentrated poverty. We have people who want white tablecloth restaurants in our City and we have people who want to know why Newport News has certain businesses and things that we don't have in Hampton. I will tell you part of that is because we don't have the income which is pointed out by, I think, Mr. Joseph. We don't have the incomes to support some of these things. We don't have a supermarket in downtown Hampton because we don't have enough rooftops. With respect to your corridor, and trying to get, or trying to make it no longer a food desert, we go back about four years ago, we tried to get a grocery store in that area but that person wound up going to Newport News with that grocery store. Why? I don't know. Maybe Newport News offered them more money to do it, but it didn't happen. We talked about the absence of sidewalks and lighting, and we have a plan that at least we're trying to do blocks. It won't be sidewalks because of the Chesapeake Bay Preservation Act. It prohibits us from doing certain things that increase the storm water runoff, but where we can we're trying to improve

neighborhoods with respect to lighting. Dominion Power is responsible for that, but throughout our City we are trying and we're putting up money to improve the lighting to go to LED lighting so we have better lighting in neighborhoods. Because for the longest time the way that lighting was done in neighborhoods was strictly for vehicle traffic. It wasn't about lighting for safety. I think about other things comments were made. I don't want to try and address each one because then I would appear to be talking down to people and I don't do that, but I will tell you one other thing about the people who came to the Planning Commission and spoke in favor of this project and the people come here tonight particularly, talked about Greg Garrett. About five years ago before there was a Phenix project, he came to us, some of us individually, others collectively, with the desire to improve the lives of individuals who were either left behind or looked over. He sponsored a bus trip up to Richmond for us to meet with the man who started a project in California to try and help those who were formerly incarcerated, returning citizens, individuals who skills levels were not what they need to be, because he cared that much. Part of his vision, even for this project, was to do the same type of project. I think we've got a great marriage of a person whose heart is for the City, in Greg Garrett, and a developer that has done outstanding projects all over the country, and has made a commitment to us here. I'm going to vote in favor of this project because again, we would not do anything to diminish the quality of life for any residents in our City.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Rezoning be approved with twelve (12) proffered conditions to include one of the proffers being amended with language as read by the City Manager. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Nay: 1 - Councilmember Brown

Resolutions

11. [22-0316](#) Resolution Approving A Vacation Agreement Between Phenix Industrial, LLC, NP Hampton Commerce Center, LLC, and the City of Hampton, Virginia Pertaining to Vacation of a 71,960± Square Foot Portion of a Public Right of Way Known As Pine Avenue Adjacent to 700 Shell Road

Attachments: [Vacation Agreement](#)
[Exhibit A - Vacation Area](#)
[Exhibit B - Dedication Area](#)

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Resolution be approved. The motion carried by the following vote:

- Aye:** 6 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck
- Nay:** 1 - Councilmember Brown

Mayor Tuck called a brief recess before the public comment period.

PUBLIC COMMENT

Ms. Glass read the protocol for public comment.

Mayor Tuck welcomed the first two speakers. Mr. Travis Adams greeted Council and made the following statement: I'll keep it really fast since I already spoke and it has been a long night but I hope everyone who came out to oppose the rezoning continues to be involved. A lot of what went into this was lack of community engagement so I hope all those people get involved now because from the very beginning is when we need to have our impact on these projects. So I intend, as you've seen my face several times, I intend to continue being involved and make sure that that "yes, and" becomes something useful. I hope that the gentleman who made that "yes, and" speech also shows back up, but he's not here right now, and build high density housing. Thank you.

Mr. Augustin Antomattei greeted Council and made the following statement: I'm retired army and I'm also retired Hampton City School teacher. The reason why I'm here is because my wife and I built a retirement home at 205 Buckroe Avenue and it is right next door to Coasters Bar and Grill supposedly, but actually they turned that place into a club. It's no longer a bar or grill or like a restaurant, and they put in some paperwork about the hours that they closed now and now they got authorization to close at midnight. That place has turned into a nightmare for me and there are \$350,000-\$400,000 homes right there, right next door, right next to it and right behind it. They really have no disregard for the neighborhood and I've talked to them folks over and over many times about the trash in the back, the noise. I called

311 to call the police every time the noise, the music is thumping, boom midnight. Sometimes it was two, three o'clock at night before somebody talked to them about the hours but they never they never talked to the residents about the operating hours that they would be allowed to operate in that neighborhood. It's a residential neighborhood and so it's not a restaurant, not a bar, it's actually a club and they have a security guard, and they have a DJ, and they got all that stuff, and then they got an outside area in the back and they got speakers back there and they got seating area and once some folks start to drink and they be like with the music blasting they can't hear themselves talking. So they shouting blah, blah, blah all night long. I mean it's terrible anyway so that's why I'm calling and I've talked to Mikel the codes and compliance person. I sent her emails with pictures and all the trash in the back and all that stuff and I talked to her three different times and still, oh we'll send somebody out there to clean that stuff up and then we'll send them the bill and that trash is still out there. I got pictures on my iPad and I sent them to her and still there's stuff is still there. My neighbors are talking about moving because the noise and you know the trash and all that stuff back there. They look out their window and that's what they look at and that's what they see but anyway sometimes they have even during the daytime they play loud, vulgar rap music and it's horrible. Sometimes I've got to take my grandkids out to go to the beach or to ride to the park and they listening to their music and sometimes they play during the day and at night when they close those folks just come out there just drunk on the street they're still dancing, they're playing music real loud and I guess my time is up so I'm going to stop but thank you. Thank you for your time.

Mr. Chris Mathews greeted Council and made the following statement: I'd like to congratulate Vice Mayor Gray and Councilman Brown for getting your seats getting them right back, and then Ms. Mugler and Ms. Harper for their wins in this election as well. What I'm here to speak about is my observations while volunteering and working at the polls this week. There's a lot of residents in Hampton who don't know how to communicate with the government and don't know what avenues to pursue when they have issues they'd like to take in with the City. I was being asked how I can fix these and I'm telling people that I can't fix anything but we can get more involved with the City around us. All most of these people are asking for is that their neighborhoods identities and what makes their neighborhoods unique and a place that they want to live be respected and maintained and treated well. So we can expect an uptick of people trying to get involved. At least I'm hoping that we have more people getting involved in our City after this election and that we can do something productive with that, utilize each other as assets and turn Hampton into a real place that people want to live and raise their families. That's all I have to say tonight. Thank you.

Mr. Danny Calhoun greeted Council and made the following statement: I'm a

business owner and I'm a partner at the Asher Institute of Hampton. Congratulations to all the victors of yesterday's election, Vice Mayor Gray, Steve. Asher Institute of Hampton is a trade school and we benefit the people who are wanting to become barbers, cosmetologists, and nail technicians. Our school allows people to get licensed and certified within one year, unlike a four year university. We guarantee job placement and we guarantee the students will be licensed to work. Along with education, the number one thing that we're most proud of is supporting the Virginia community. Currently we're doing a food drive. We partnered with the Virginia Peninsula Foodbank and we're going to be feeding hundreds of people, Virginians, for Thanksgiving this year. We've been collecting food for the last three weeks and we're going to be picking it up next Wednesday. I just want to read off just from one last round of donation locations just for people that did not know they could drop off those donations at the Lumen Apartments, Lakes at Town Center, Monroe Gates Apartments, the Pinnacle Apartments and the Asher Institute of Hampton which is located at 4107 West Mercury Blvd in Hampton, VA. After our food drive is completed we're not going to stop there, continue with the support the community we've already been collecting toys for this upcoming Christmas. We've partnered with the BKS Stop the Violence. Last year BKS they gave away 10,000 toys and this year by partnering with us they're planning on giving away 20,000 toys so you'll hear about that on the news pretty soon here when we make that announcement. But we're going to be doing that event on December 20th at Asher Institute of Hampton of course so remember those dates November the 20th the food drive is going to conclude and December the 20th the toy drive is going to begin. Last but not least we're bringing some worldwide attention to Virginia, the community, and bringing it in an international light. So we are bringing in 2023, I have confirmation from one of the greatest boxers of all time, Floyd Mayweather, he will be coming to Virginia and we just announced that today but we're going to be hosting him and he's going to be coming up with ways to support the Virginia community and of course Asher Institute of Hampton. So we are here to support the community. We love Virginia. We love the beautiful places that they have around here and we're still in need of help so if we can get all the help and support we need. You guys are more than welcome. We appreciate the support we've received so far from City Council members, Mayor Tuck, Jimmy Gray, Steve Brown and of course Mary Bunting. We appreciate that and they know who Asher is and hopefully the rest of Virginia knows who Asher is. Thank you very much.

Mr. Vince Gatti greeted Council and made the following statement: I am Director of Admissions at Asher Institute and I just want to start off by saying one thing's clear after tonight, the City of Hampton comes out for things that dramatically affect their community whether for a positive or negative manner and for that I just want to start by saying I'm excited to be a new resident of this historic, amazing town of Hampton and the surrounding Hampton Roads community. Again, my name is Vince Gatti,

Director of Admissions at Asher Institute at Hampton. Yesterday several of our students along with myself and Danny were able to help two re-elected officials, Vice Mayor Gray, Councilman Steve Brown and also assist newly elected Hope Harper and Martha Mugler. I just wanted to say that it was an amazing experience from our students perspective as well as myself and associate Danny, having the ability to be right out there on the ground getting to know the community in which the school is located was truly a tremendous experience and vital to each and every student's growth in regards to charisma, personality, and network development. I just wanted to say to the entire board I look forward to continuing to connect with the wonderful people in Hampton to our wonderful trade school lying at 4107 West Mercury Boulevard and as well as to try to be the true leaders of higher education for anybody looking for cosmetology and barber, aesthetician or nail. Thanks again for the community for my ability to connect with you guys and as always if you ever need anything from myself or Asher please do not hesitate to reach out. Again, I know it's been a long night, thank you to everybody have a good one.

Mr. Kane Allah greeted Council and made the following statement: Peace be upon the Mayor, Vice Mayor and Council. I'd like to start off by saying good evening to you all and the people of Hampton. Congratulations to Mr. Brown and Mr. Gray on your re-elections. This is my first time speaking before you even though I know of, know, and am getting to know you all as I continue to work more with the City in efforts to make Hampton the best City in Hampton Roads, the Commonwealth, and America. It is an honor to address you all and bring something to your attention regarding the enforcement of the ordinances of our City. There are streets throughout Hampton that have these problems but I will specifically speak on Old Hampton and Wythe. There are streets littered with trash bins and commercial vehicles. Trash bins left on the curb for days, weeks, and months. Trash bins placed in front of properties instead of on the side or in the back out of direct view from the street. It's an eyesore and it promotes the wrong message on keeping Hampton clean and beautiful. The commercial vehicles are a bit touchy for me because I'm a former commercial driver, so I understand the limitations of parking within the city limits, commercial parking within the city limits. But unfortunately, it is an ordinance that no commercial vehicle over a certain size can be parked on residential streets for more than an hour. But that is what you see throughout these areas. Some of these streets are Florida Street, Parkdale, Patterson, Back River Road, Union Street and Queen Street to name a few. Not following City ordinances carries fines. Fines for these issues create revenue for this City and send a message that the governing body of Hampton and its citizens will not tolerate violating any ordinances, nor allow the degradation of our great City. I'm asking the Council to please look into this, dispatch officers and City workers to investigate and find all offenders. This is not to scare people away from Hampton but to keep them, bring them in and knowing that the people of Hampton want their neighborhoods to look beautiful and have the best

visual representation possible. Lastly, calls have been made to 311 about these issues but to no avail. Thank you for listening to me.

City Manager Bunting shared that Bonnie Brown did speak with the gentleman who spoke about Coasters. Both Ms. Brown and Mr. Terry O'Neill have indicated that they will follow up on those concerns. Ms. Bunting indicated that there will be follow-up with Community Development and Hampton Police in regards to the commercial vehicle parking issue, and also to find out why the 311 contact center has not produced the results that would be expected.

GENERAL ITEMS

Item #12 was taken out of order earlier in the meeting.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

There were no items of new business.

ADJOURNMENT

The Mayor reminded everyone that there will not be a second meeting in November. The next meeting will be on December 14, 2022. He thanked everyone for staying for this very challenging meeting.

The meeting adjourned at 10:46 p.m.

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____