

City of Hampton

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



Agenda

Wednesday, December 11, 2024

6:00 PM

Council Chambers

City Council Legislative Session

Mayor Donnie R. Tuck
Vice Mayor Jimmy Gray
Councilmember Chris L. Bowman
Councilmember Steven L. Brown
Councilmember Hope L. Harper
Councilmember Billy Hobbs
Councilmember Martha Mugler

STAFF: Mary Bunting, City Manager
Courtney R. Sydnor, City Attorney
Katherine K. Glass, MMC, Clerk of Council

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time.

ORDER OF BUSINESS

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol to encourage participation by citizens in City government and to ensure its meetings are conducted in an efficient and orderly manner. Citizens are encouraged to review both documents prior to attending City Council meetings. The Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol are available on the City's website and copies can be provided upon request to the Clerk of Council. Please take note of the following key provisions contained in the above-referenced documents.

(1) No person shall be permitted to enter a City Council meeting with the following items:

- Large objects that may be used as weapons, including but not limited to batons, sticks, knives, or other cutting tools;
- Large banners, signs, flags, or other displays;
 - Permitted banners, signs, flags, or other displays shall be limited to 3'x5'; composed of paper, cardboard, foamboard, or fabric; and shall not contain wood, metal, or plastic supports or handles.
- Megaphones, bullhorns, whistles, or other devices designed to emit loud noises;
- Laser pointers, flashlights, or other devices designed to emit lights;
- Food or drink; and
- "Selfie" sticks.

(2) The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council on a public hearing item or as part of the general public comment period, you must sign in before the meeting in the lobby of City Hall. Speaking on topics not appearing on the agenda as public hearing items is handled under the public comment portion of the meeting.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add").

Meetings of the Council are formal proceedings, and all comments are recorded. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

**PLEASE NOTE THAT THE PUBLIC HEARING PORTION OF THIS MEETING WILL
BEGIN NO EARLIER THAN THE ADVERTISED TIME OF 6:30 P.M.**

CALL TO ORDER/ROLL CALL

INVOCATION - Councilwoman Hope Harper

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

1. [24-0446](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2024 Emergency Management Performance (EMP) Grant Awarded through the Virginia Department of Emergency Management
2. [24-0477](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the Fiscal Year 2025 Litter Prevention and Recycling Program Grant Awarded by the Virginia Department of Environmental Quality
3. [24-0493](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the Maternal, Infant and Early Childhood Home Visiting Program Grant 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) to Continue the Parents As Teachers and Home Visiting Education and Support Program
4. [24-0498](#) Resolution Approving the Fiscal Year 2024 Year-End Budget Adjustments
5. [24-0499](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Appropriate a total of \$829,624.63 from the General Fund's Assigned, Committed, and Restricted Fund Balance accounts to the General Fund Operating Budgets of the City Attorney; City Treasurer; Civic and Community Support; Clerk of the Circuit Court; Commonwealth's Attorney; Community Development; Emergency Management; Grant Matching Funds; and, Office of Youth and Young Adult Opportunities to complete activities started in Fiscal Year 2024
6. [24-0500](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Appropriate a total of \$1,079,616 from the Capital Budget (Projects) Committed Fund Balance Account to the Capital Budget (Projects) Fund to Complete the State-required Implementation of a Medical Exchange System; and, Other Projects

7. [24-0501](#) Resolution Authorizing a Petition to the Commonwealth Transportation Board to Transfer Certain Real Property Acquired for the Construction of a Portion of Commander Shepard Boulevard to the City of Hampton Pursuant to Virginia Code §§ 33.2-1001 and 33.2-907
8. [24-0510](#) Resolution Directing City Attorney to File a Petition with the Circuit Court Regarding Vacancy in Constitutional Office of the Commissioner of the Revenue

PRESENTATIONS, PROCLAMATIONS, AWARDS

9. [24-0515](#) Resolution in Recognition of Councilman W. H. "Billy" Hobbs, Jr.
10. [24-0516](#) Resolution in Recognition of Councilman Chris Bowman
11. [24-0517](#) Resolution in Recognition of Mayor Donnie R. Tuck

PUBLIC HEARINGS

Rezoning and Use Permits

12. [24-0278](#) Rezoning Application by D.R. Horton, Inc. to Rezone Four Parcels Located at 31, 39, 41, and 49 Semple Farm Road [LRSN: 6001077, 6000966, 6001076, and 6001075] Totaling +/- 7.93 Acres, from One-Family Residential (R-11) District to Townhouse Multifamily Residential (MD-1) District with Conditions to Construct Townhomes on Fee-Simple Lots
13. [24-0431](#) Rezoning Application by Brooks-Joseph Memory Care I, LLC and Brooks-Joseph Memory Care II, LLC to Rezone +/- 1.09 Acres Located at 1807 W Queen Street [LRSN: 3004763] from One Family Residential (R-11) District to Multifamily Residential (MD-4) District with Conditions for a Nursing Home
14. [24-0432](#) Use Permit Application by Brooks-Joseph Memory Care I, LLC and Brooks-Joseph Memory Care II, LLC to Operate a Nursing Home at 1807 W. Queen Street [LRSN: 3004763]
15. [24-0462](#) Rezoning Application No. 24-0462 by Cavalier Homes, LLC to Rezone +0.29 Acres at 1814 Kecoughtan Road [LRSN 1005156] from Neighborhood Commercial (C-1) District and One Family Residential (R-11) District to the Multifamily Residential (MD-4) District with Proffered Conditions in Order to Convert an Existing Commercial Building to Multifamily
16. [24-0463](#) Use Permit Application No. 24-0463 by Cavalier Homes, LLC for Multifamily Dwellings at 1814 Kecoughtan Road [LRSN 1005156]
17. [24-0452](#) Use Permit Application by Wilson Randolph Rylander to Permit a Private

School Use at 66 Big Bethel Road [LRSN: 3005824] by Amending the Conditions of Use Permit No.1034 in Order to Broaden the Permitted Age Range of the Existing School, New Mount Olive Christian Academy

18. [24-0454](#) Use Permit Application by Sherquita Tucker to Permit a Restaurant 3 to Include Live Entertainment and Outdoor Dining at 1144 Big Bethel Road [portion of LRSN: 4002763]
19. [24-0468](#) Use Permit Application No. 24-0468 by Everside Properties, LLC, to Permit a Short-term Rental (STR) at 1536 Morgan Dr [LRSN 12003152]

Ordinances

20. [24-0465](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 9, Entitled "Overlay Districts", to Amend Article II, Entitled "O-CBP - Chesapeake Bay Preservation Overlay", to Update and Correct Cross-References to the Stormwater Management and Erosion Control Ordinance
21. [24-0467](#) Ordinance to Amend and Re-Enact the City Code of the City of Hampton, Virginia by Amending Chapter 35, Entitled "Subdivisions", to Update and Correct Cross-References to the Stormwater Management and Erosion Control Ordinance
22. [24-0469](#) Ordinance to Amend and Re-Enact the City Code of the City of Hampton, Virginia by Amending Chapter 35.1, Entitled "Site Plans", to Update and Correct Cross-References to the Stormwater Management and Erosion Control Ordinance

Resolutions

PUBLIC COMMENT

GENERAL ITEMS

Ordinances

23. [24-0504](#) Ordinance to Amend and Re-Enact City Code of Hampton, Virginia by Adding Chapter 9, Building and Development Regulations, Article I, In General, Section 9-13 to Conform to Current State Code Authority Regarding Vacant Building Registration.

Resolutions

Appointments

24. [24-0396](#) Consideration of Appointments to the Hampton Animal Response Team Advisory Committee (HARTAC)

- 25. [24-0411](#) Consideration of Appointments to the Citizens Police Advisory Group (CPAG)
- 26. [24-0505](#) Consideration of an Appointment to the Peninsula Agency on Aging
- 27. [24-0506](#) Consideration of an Appointment to the Planning Commission
- 28. [24-0507](#) Consideration of Appointments to the Neighborhood Commission
- 29. [24-0511](#) Consideration of an Appointment to the Eastern Virginia Regional Industrial Facility Authority (EVRIFA)
- 30. [24-0514](#) Consideration of Appointments to the Board of Zoning Appeals

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov