

City of Hampton

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



Agenda

Wednesday, April 13, 2016

6:30 PM

Council Chambers

City Council Legislative Session

Mayor George Wallace
Vice Mayor Linda D. Curtis
Councilmember W.H. "Billy" Hobbs
Councilmember Will Moffett
Councilmember Teresa V. Schmidt
Councilmember Chris Snead
Councilmember Donnie R. Tuck

STAFF: Mary Bunting, City Manager
Vanessa T. Valdejuli, City Attorney
Katherine K. Glass, CMC, 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 citizen or 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 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, please sign in before the meeting on the sign-up sheets located in the lobby of City Hall. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. 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 and address
- (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.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice. 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.

CALL TO ORDER/ROLL CALL**INVOCATION - Councilmember Chris Snead****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1. [16-0039](#) Approval of the minutes from the legislative sessions of February 10, 2016 and March 9, 2016; the work sessions of January 27, 2016 and March 23, 2016; and the ceremonial session of March 23, 2016.
2. [16-0105](#) Resolution Appropriating \$406,947.00 Funds Received from Hampton Roads Sanitation District, from the Capital Projects Miscellaneous Revenue Account to the Capital Project Fund for Design and Construction Cost of the Replacement of Bridge Street Bridge
3. [16-0106](#) Resolution Appropriating \$155,000 Funds to be Received from Newport News Waterworks Upon Construction Completion from the Capital Projects Miscellaneous Revenue Account to the Capital Project Fund for Design and Construction Costs of the Replacement of Bridge Street Bridge
4. [16-0121](#) Resolution Determining ALCO Machine, Incorporated to be the Only Source Practicable Available From Which to Procure Forcible Entry Machines and Calibration Units for those machines and Authorizing the Negotiation and Execution of a Purchase Contract with ALCO Machine, Incorporated as "Sole Source"
5. [16-0122](#) Resolution Determining ADF STEEL, Incorporated to be the Only Source Practicable Available From Which to Procure the Ceiling Breach and Pull Machine and the Attaching Brackets for the Ladder Raise and Extension Props and Authorizing the Negotiation and Execution of a Purchase Contract with ADF STEEL, Incorporated as "Sole Source"
6. [16-0126](#) Resolution Authorizing the Grant of an Encroachment, Pursuant to § 34-86 of the City Code, to Jens R. Knudsen, II and Phyllis A. Knudsen (the "Knudsens") of an Area Comprising 4,000 Square Feet, More or Less, Over a Portion of a City Drainage Easement at the Rear of the Knudsens' Property Located at 41 Tripp Terrace (LRSN 4004684) and the Adjacent City Property Near the Sound Wall for Fence
7. [16-0127](#) Ordinance to Amend and Reenact Chapter 32.1 City Code of the City of Hampton, Virginia by Amending Section 32.1-41, Entitled "Solid Waste Rate Determination" to Clarify the Manner in which the Solid Waste Rate Determination is Administered.

8. [16-0133](#) Resolution Approving Fiscal Year 2016 Second Quarter Budget Adjustments

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Zoning Ordinance Amendment

9. [16-0107](#) Ordinance to amend and re-enact Article 4 of Chapter 9 of the Zoning Ordinance of the City of Hampton, Virginia Entitled "O-FZ District - Flood Zone Overlay" by striking and readopting the O-FZ District

Community Plan Amendment - Fort Monroe

10. [16-0108](#) Comprehensive Plan Amendment No. 16-00001 to consider the Fort Monroe Land Use Plan (2016) as an amendment to the Hampton Community Plan (2006, as amended) to reflect the closure of Fort Monroe as a military installation and the reuse of portions of the property for mixed-use development

Zoning Ordinance Amendments - Fort Monroe

11. [16-0102](#) Ordinance To Amend And Re-Enact Chapter 1 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "General Provisions" By Amending Section 1-30 Pertaining To General Green Area Requirements
12. [16-0109](#) Ordinance To Amend And Re-Enact Chapter 2 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Definitions" By Amending Section 2-2 Entitled, "Definitions" Pertaining To The Definition Of Day Spa
13. [16-0110](#) Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Uses Permitted" By Amending Section 3-2 To Add The New Zoning Districts Titled FM-1 (Fort Monroe Inner Fort), FM-2 (Fort Monroe Historic Village), FM-3 (Fort Monroe North Gate) And FM-4 (Fort Monroe Wherry Quarter) To The Use Table and Section 3-3 Pertaining To Additional Standards On Permitted Uses
14. [16-0111](#) Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Amending Article 6 - Parks and Open Space As Part Of The Adoption Of New Zoning Districts For Fort Monroe
15. [16-0112](#) Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Adding Article 8 - Fort Monroe Districts As Part Of The Adoption Of

New Zoning Districts For Fort Monroe

16. [16-0113](#) Ordinance To amend And Re-Enact Article 2 Of Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Supplemental Regulations In Certain Zoning Districts" By Adding Section 10-10.1 As Part Of The Adoption Of New Zoning Districts For Fort Monroe

Rezoning - Fort Monroe

17. [16-0114](#) Rezoning Application No. 16-00002 by the City of Hampton to rezone 34.63± acres including the portion of LRSN 13004302 within the inner fort area, as shown on the attached map, from One Family Residential (R-13) District to Fort Monroe Inner Fort (FM-1) District
18. [16-0117](#) Rezoning Application No. 16-00003 by the City of Hampton to rezone 75.3± acres including LRSNs 12001539 and 13003695, and a portion of LRSN 13003672 (the portion including but not limited to the buildings addressed as 10, 12 and 242 Stilwell Drive; 20, 30, 32, 33, 35, 41, 42, 43, 45, 53, 55, 57, 59, 60, 61, 63, 65, 66, 67, 69, 73, 75, 80, 90, 94, 96, 98, 100, 102, 104, 106, 108, 110, 130, 132, 134, 136, 138 and 140 Ingalls Road; 1, 3, 7 and 77 Frank Lane; 7, 8, 9, 10 and 12 Patch Road; 13, 15, 17, 19 and 23 Hatch Lane; 3, 5, 7, 9, 11, 13, 15, 17, 19 and 21 Moat Walk; 2, 3, 4 and 8 Ruckman Road; 30 Harrison Street; 10, 15 and 20 Whistler Lane; 5, 7, 20, 29, 33, 37, 41, 43, 47, 51, 53, 55, 57, 59, 63 and 67 Fenwick Road; and 146 and 147 Engineer Lane), a portion of LRSN 13003682 (the portion including but not limited to the buildings addressed as 102, 104, 106, 108, 112, 114, 116, 118, 120, 122, 124, 126 and 128 Ingalls Road; 1 through 8 Reeder Circle; 1 through 12 Pratt Street; and 17, 19, 21, 23, 25 and 27 Murray Street), a portion of LRSN 13003683 (the portion including but not limited to the buildings addressed as 101 and 103 Ingalls Road; 34, 36, 38 and 40 Hampton Street; and 29, 31, 33, 35 and 41 Tidball Road), a portion of LRSN 13003692 (the portion including but not limited to the building addressed as 2 Fenwick Road), and a portion of LRSN 13003696 (the portion including but not limited to the buildings addressed as 100, 102, 104 and 106 McNair Drive; 1 and 3 Fenwick Road; 13, 15, 18, 20, 22 and 24 Harrison Street; and 18, 19, 20, 22, 23, 24, 26, 28, 30, 32, 34, 36, 38 and 40 Tidball Road), as shown on the attached map, from One Family Residential (R-13) District to Fort Monroe Historic Village (FM-2) District
19. [16-0118](#) Rezoning Application No. 16-00004 by the City of Hampton to rezone 33.5± acres including a portion of LRSN 13003672 (the portion including but not limited to the buildings addressed as 55, 57 and 61 Patch Road) and a portion of LRSN 13003682 (the portion including but not limited to the buildings addressed as 102, 106 and 110 Pratt Street; 100, 102, 104, 106, 108 and 110 Eustis Lane; 318 Cornog Lane; 12 and 16 Murray Street; 21 North Gate Road; and 59 Patch Road), as shown on the attached map, from One Family Residential (R-13) District to Fort

Monroe North Gate (FM-3) District

20. [16-0119](#) Rezoning Application No. 16-00005 by the City of Hampton to rezone 26.4± acres including LRSN 13003694, a portion of LRSN 13003672 (the portion including but not limited to the buildings addressed as 81 Patch Road and 351, 355, 359, 363 and 367 Fenwick Road) and a portion of LRSN 13003682 (the approximately 1.5 acre triangular-shaped portion located at the easternmost edge of the parcel, containing a portion of the Patch Road baseball field), as shown on the attached map, from One Family Residential (R-13) District to Fort Monroe Wherry Quarter (FM-4) District
21. [16-0120](#) Rezoning Application No. 16-00006 by the City of Hampton to rezone 336.57± acres including LRSNs 13004300, 13004301, 13003684, 13003685, 13003686, 13003687, 13003688, 13003689, 13003690, 13003691, the portion of LRSN 13004302 not within the inner fort, a portion of LRSN 13003672 (the portion which generally includes the waterfront areas of the parcel and the areas of open space as shown on the map), a portion of LRSN 13003682 (the portion which generally includes the Reeder Circle park and the open space containing the sports field between Stilwell Road and Patch Road), a portion of LRSN 13003683 (the portion which generally includes the waterfront areas along McNair Drive), a portion of LRSN 13003692 (the portion which generally includes the waterfront walkways), and a portion of LRSN 13003696 (the portion which generally includes the waterfront areas along McNair Drive and between McNair Drive and Tidball Road), as shown on the attached map, from One Family Residential (R-13) District to Parks and Open Space General (PO-1) District

GENERAL ITEMS**Ordinances**

22. [16-0090](#) Ordinance to Amend and Reenact Chapter 6 of the City Code of the City of Hampton, Virginia Entitled "Bicycles" by Amending Article II, Section 6-28 to provide for exceptions to the mandatory requirement that a bicyclist use a bicycle path when one is provided.

Resolutions**Appointments**

23. [16-0115](#) Consideration of appointments to Mayor's Committee for People with Disabilities.
24. [16-0124](#) Consideration of appointments to Neighborhood Commission.
25. [16-0125](#) Consideration of appointments to Animal Control Advisory Committee.

- 26. [16-0129](#) Consideration of appointment to Virginia Air and Space Center Board.
- 27. [16-0131](#) Consideration of an appointment to Peninsula Town Center Community Development Authority.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT