

1. Planning Commission Meeting Documents

Documents:

[CPC MINUTES 11.6.19.PDF](#)

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**Wednesday, November 6, 2019**  
**City Council Chambers**  
**2400 Washington Avenue**  
**Newport News, Virginia**

**PRESENT:** Katie Stodghill, Vice-Chairwoman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Michael F. Carpenter; Zachary E. Wittkamp; N. Steve Groce; (Staff: Sheila McAllister, Director of Planning; Flora Chioros, Assistant Director – Current Planning; Saul Gleiser, Senior Planner; Toluwalase Ibikunle, Planner II; Carolyn Poissant, Planner II; Johnnie Davis, Planner; Elizabeth McRae, Landscape Planner; Lynn Spratley, Deputy City Attorney; Nyoka Hall, Zoning Administrator)

**ABSENT:** Daniel L. Simmons, Jr., Chairman; Mark W. Mulvaney; and, Elizabeth W. Willis

**CALL TO ORDER**

Mr. Wittkamp read the Planning Commission's purpose as stated in Section 15.2-2210 of the Code of Virginia. He made a motion to adopt the agenda before the Planning Commission. Mr. Carpenter seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

**INVOCATION**

Mr. Carpenter presented the invocation.

**PLEDGE OF ALLEGIANCE**

Mr. Groce led the Planning Commission in the Pledge of Allegiance.

**MINUTES**

The minutes of the October 2, 2019 public hearing were accepted as presented.

**PUBLIC HEARING**

**CONDITIONAL USE PERMITS**

**CU-2019-0008, ALPINE SHOPPES, LLC.** Requests a conditional use permit to allow for the operation of a tattoo establishment located at 12592 Warwick Boulevard. The parcel contains 0.88 acres and zoned C2 General Commercial. The *One City, One Future 2040 Comprehensive Plan* recommends neighborhood commercial uses for the parcel. The parcel number is 202.00.03.01.

Carolyn Poissant, Planner II, presented the staff report (copy attached to record minutes).

Mr. Carpenter asked how long ago a nearby tattoo establishment was approved. Ms. Chioros stated approximately two to three years ago.

Ms. Fox stated we have about five existing tattoo parlors in the city and there have been no issues.

Ms. Stodghill opened and closed the public hearing.

Ms. Fox made a motion to recommend approval of conditional use permit CU-2019-0008 to City Council with conditions. The motion was seconded by Mr. Carpenter.

**Vote on Roll Call**

**For:** Maxwell, Fox, Carpenter, Wittkamp, Groce, Stodghill

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (6:0) to recommend approval of conditional use permit CU-2019-0008 to City Council with conditions.

**CU-2019-0010, DENBIGH CHURCH OF CHRIST.** Requests a conditional use permit to allow for the installation of an electronic display sign in conjunction with a community facility in a residential district on property located at 205 Denbigh Boulevard. The parcel contains 4 acres and zoned R3 Single-Family Dwelling. The *One City, One Future 2040 Comprehensive Plan* recommends community facilities uses for this parcel. The Parcel No. is 116.00.03.61.

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Ms. Stodghill opened and closed the public hearing.

Mr. Groce made a motion to recommend approval of conditional use permit CU-2019-0010 to City Council with conditions. The motion was seconded by Mr. Carpenter.

**Vote on Roll Call**

**For:** Fox, Carpenter, Wittkamp, Groce, Maxwell, Stodghill

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (6:0) to recommend approval of conditional use permit CU-2019-0010 to City Council with conditions.

**CU-2019-0011, MELANIE & PAUL DEYSS.** Request a conditional use permit to allow for the operation of a Campus Ministry House for the Christopher Newport University Catholic Campus Ministry in a residential district on property located at 91 Shoe Lane. The parcel contains 0.32 acres and zoned R3 Single-Family Dwelling. The *One City, One Future 2040 Comprehensive Plan* recommends low density residential uses for this parcel. The Parcel No. is 237.00.03.18.

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Ms. Fox asked why the installation of security cameras for an office use were not included in the standard conditions. Mr. Gleiser stated the Police Department did not request security cameras. He stated the property is in a residential district and is a residential use. Mr. Gleiser stated Planning staff did not feel that security cameras were needed. Ms. McAllister stated we do not usually require security cameras for churches.

Ms. Fox asked if the operation hours are 9:00 AM to 5:00 PM why the condition states 9:00 AM to 9:00 PM if it is not a residence. Mr. Gleiser stated even though the business plan says that the applicant will operate between 9:00 AM and 5:00 PM, they also state that they might have activities until 9:00 PM. Mr. Gleiser stated that is why the condition is 9:00 AM to 9:00 PM if it is not used as the campus minister's residence.

Ms. Fox asked how the city will enforce the condition of not having church worship services. Mr. Gleiser stated the reason for that condition is that it is a residential use. He stated once you start having church worship services it becomes a church and the specifications and regulations for a church are completely different from a campus ministry house. Ms. Spratley stated there could potentially be parking issues and live music issues with worship services that would not be compatible in the neighborhood.

Mr. Carpenter asked if the residence is considered a change of use under the building code. Mr. Gleiser stated yes, if there is no minister residing on the property, the building will need to be updated because the building code requires it be maintained as an office. Mr. Carpenter stated the applicant does not plan on having a minister reside on the property. Mr. Gleiser stated that is correct. Ms. Chioros stated it is considered a business use per the building code. She stated the zoning ordinance still lists it as a residential use, and that is why it is compatible with the neighborhood; however, the building code requires modifications when it becomes a business use.

Mr. Carpenter stated there is another campus ministry house down the street from the proposed property with a sign; however, there is a condition that no signage would be allowed. Ms. Chioros stated there used to be a campus ministry house at 75 Shoe Lane but it is not in operation and there is no longer a sign. Mr. Gleiser stated the former campus ministry house predated the zoning requirements.

Ms. Stodghill asked where the parking for five vehicles is located. Mr. Gleiser stated the parking is located in the driveway. Ms. Stodghill asked if there are any lighting requirements for that parking. Mr. Gleiser stated no. He stated it is intended to be a use people walk to, but there is an opportunity to park at least five cars in the driveway.

Ms. Stodghill opened and closed the public hearing.

Ms. Fox made a motion to recommend approval of conditional use permit CU-2019-0011 to City Council with conditions. The motion was seconded by Mr. Groce.

**Vote on Roll Call**

**For:** Carpenter, Wittkamp, Groce, Maxwell, Fox, Stodghill

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (6:0) to recommend approval of conditional use permit CU-2019-0011 to City Council with conditions.

**ZONING TEXT AMENDMENT**

**ZT-2019-0007, CITY OF NEWPORT NEWS.** Requests an amendment to the Zoning Ordinance, Article XXXI, Overlay Zoning Districts and Regulations, to update the Floodplain Development Regulations to be in compliance with Federal Emergency Management Agency (FEMA) regulations by deleting Section 45-3115(g).

Flora Chioros, Assistant Director – Current Planning, presented the staff report (copy attached to record minutes).

Ms. Stodghill opened and closed the public hearing.

Mr. Carpenter stated the Regulations Committee had a detailed discussion on the zoning text amendment before approving it for consideration by the Planning Commission. He stated he is in favor of the amendment.

Ms. Fox made a motion to recommend adoption of zoning text amendment ZT-2019-0007 to City Council. The motion was seconded by Mr. Groce.

**Vote on Roll Call**

**For:** Wittkamp, Groce, Maxwell, Fox, Carpenter, Stodghill

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (6:0) to recommend adoption of zoning text amendment ZT-2019-0007 to City Council.

## STORMWATER MANAGEMENT REGULATIONS TEXT AMENDMENT

SMR-2019-0001, CITY OF NEWPORT NEWS. Requests an amendment to the Stormwater Management Regulations, Article V. Chesapeake Bay Preservation, to update the Resource protection area buffer requirements to be in compliance with state regulations by changing a date reference in Section 37.1-51(2)c.

Flora Chioros, Assistant Director – Current Planning, presented the staff report (copy attached to record minutes).

Ms. Stodghill opened and closed the public hearing.

Mr. Carpenter stated the Regulations Committee had a detailed discussion on the zoning text amendment before approving it for consideration by the Planning Commission. He stated he is in favor of the amendment.

Mr. Carpenter made a motion to recommend adoption of stormwater management regulations text amendment SMR-2019-0001 to City Council. The motion was seconded by Mr. Groce.

### Vote on Roll Call

**For:** Groce, Maxwell, Fox, Carpenter, Wittkamp, Stodghill

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (6:0) to recommend adoption of stormwater management regulations text amendment SMR-2019-0001 to City Council.

## EXECUTIVE SECRETARY REPORT

Ms. McAllister stated on October 15, 2019, the Board of Zoning Appeals approved the special exception at 10 Sweetbriar Drive.

Ms. McAllister stated on October 22, 2019, City Council approved the conditional use permit for the automobile body and paint shop on Jefferson Avenue and the Denbigh-Warwick Area Plan.

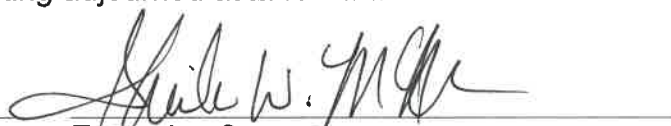
Ms. McAllister stated we have no cases for the November 20, December 4 and December 18, 2019 meetings and the first meeting in 2020 is on January 1, which is typically cancelled. Mr. Carpenter asked if there is any reason to have a work session. Ms. McAllister stated no. Mr. Carpenter made a motion to cancel the November 20, December 4, and December 18, 2019 meetings, as well as the January 1, 2020 meeting. The motion was seconded by Mr. Wittkamp. The Planning Commission voted by acclamation.

Ms. McAllister stated the Planning Department will have a community meeting to discuss short-term rentals on Thursday, December 5, 2019 at 6:00 PM in the James Room of Fountain Plaza One in City Center.

Ms. McAllister introduced Toluwalase Ibikunle, Planner II, who joins our Comprehensive Planning Team. She comes to us from the city of Hampton where she served as a Senior Planner in the Community Development Department. Ms. Ibikunle received a Bachelor of Science Degree in Urban and Regional Planning from East Carolina University and a Master's Degree in Urban and Regional Planning from Virginia Commonwealth University.

There being no further business, the meeting adjourned at 2:46 P.M.

  
Recording Secretary

  
Executive Secretary