1. Planning Commission Meeting Documents

Documents:

CPC AGENDA 8.3.16.PDF
CPC MINUTES 6.1.16.PDF
CU-16-371.PDF
ZT-16-380.PDF
ZT-16-381.PDF

NEWPORT NEWS CITY PLANNING COMMISSION
2400 WASHINGTON AVENUE
NEWPORT NEWS, VIRGINIA 23607

MICHAEL F. CARPENTER
Chairman

MARK W. MULVANEY
Vice-Chairman

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SHEILA W. McALLISTER
Executive Secretary

- A G E N D A –

NEWPORT NEWS CITY PLANNING COMMISSION
AUGUST 3, 2016
4:00 P.M.
CITY COUNCIL CHAMBERS

A. CALL TO ORDER

B. INVOCATION

C. MINUTES OF JUNE 1, 2016

D. PUBLIC HEARING

CONDITIONAL USE PERMIT

CU-16-371, City of Newport News School Board. Requests a conditional use permit to allow for the expansion of the lease area of an existing communications tower to accommodate a second service provider. The property is located at 259 Denbigh Boulevard (Denbigh High School) and zoned P1 Park. The Parcel No. is 117.00-01-02. **(Contact Planner: David Watson at 926-3833)*(To be heard by City Council on September 13, 2016)***

ZONING TEXT AMENDMENTS

ZT-16-380, City of Newport News. Requests an amendment to the Zoning Ordinance to add a new section for rezoning, conditional use permit and special exception fee waivers for certain nonconforming uses (Section 45-2903). **(Contact Planner: Claudia Cotton at 926-8075)*(To be heard by City Council on September 13, 2016)***

ZT-16-381, City of Newport News. Requests an amendment to the Zoning Ordinance pertaining to a freestanding sign for the Brooks Crossing shopping center in the Lower Jefferson Avenue Urban Corridor Overlay District (Section 45-3161.1). **(Contact Planner: Claudia Cotton at 926-8075)*(To be heard by City Council on September 13, 2016)***

E. EXECUTIVE SECRETARY REPORT

F. COMMITTEE REPORTS

G. UNFINISHED BUSINESS

H. NEW BUSINESS

I. ADJOURN MEETING

Sheila W. McAllister, AICP
Executive Secretary

MINUTES OF THE PLANNING COMMISSION MEETING
Wednesday, June 1, 2016
City Council Chambers
2400 Washington Avenue
Newport News, Virginia

PRESENT: Michael F. Carpenter, Chairman; Mark Mulvaney, Vice-Chairman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Robert B. Jones; Daniel L. Simmons, Jr.; Lorraine P. Austin; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila W. McAllister, Director of Planning; Claudia Cotton, Manager of Current Planning; Flora Chioros, Planning Coordinator; Saul Gleiser, Senior Planner; David Watson, Planner; Johnnie Davis, Planner; Bryce Causey, Planning Intern; Spencer Norman, Planning Intern; Uri Cooper, Planning Intern; Lynn Spratley, Deputy City Attorney; Florence Kingston, Director of Development; Chris Morello, Administrator of Development Projects; Matthew Johnson, Senior Project Coordinator; Vincent Urbano, Assistant Chief of Civil Design; Bryan Stilley, Engineer II; Christine Mignogna, Zoning Administrator)

ABSENT: None

CALL TO ORDER

Mr. Mulvaney 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. Ms. Austin seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

INVOCATION

Mr. Maxwell presented the invocation.

MINUTES

The minutes of the May 4, 2016 public hearing and May 18, 2016 work session were approved as presented.

PUBLIC HEARING

DEFERRED CONDITIONAL USE PERMIT

CU-16-366, City of Newport News & YM Devco-10, LLC. *(Deferred from Planning Commission meeting of May 4, 2016)* Requests a conditional use permit to allow for the construction of a multi-modal transportation center and service/maintenance facility located on a portion of 550 Young's Mill Lane, 490 Young's Mill Lane, 13020 Mitchell Point Road, 199 & 201 Motoka Drive and 500 B Bland Boulevard on six (6) parcels totaling 38.85 acres and zoned R7 Medium Density Multiple-Family, R8 High Density

Multiple-Family, R4 Single-Family and P1 Park. The Parcel Nos. are 140.00-01-04 & 08 & 09, 150.00-01-25, 109.00-08-24, and 120.00-01-05.

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

Mr. Carpenter opened the public hearing.

Mr. Derek J. Piper, 277 Bendix Road, Virginia Beach, applicant, spoke in favor of the application. He thanked Planning staff for their assistance. Mr. Piper gave a brief presentation of the application.

Mr. Mulvaney thanked Mr. Piper and city staff for answering the questions from the last public hearing and the work session. He stated a lot of the questions that were presented at the first public hearing by the citizens seem to have been addressed. Mr. Mulvaney thanked everyone for a very thorough presentation.

Mr. Joseph Blumber, 522 Knolls Drive, stated he appreciates the presentations that have been made and the work that has been done on this project, but he has some concerns. He stated a visual buffer is needed to separate the train turnaround area from where the rail end joins Aspen Meadow Lane to a point where it would be naturally concealed by vegetation and create a natural barrier. Mr. Blumber stated this is needed to preserve the attractive appearance of the entrance road to Windy Knolls condominium community. He stated condominium values are already depressed and the plans, as they now stand, further affect the value of our property, and potentially depreciate it. Mr. Blumber stated that without an effective and attractive barrier, it will affect the owners of Windy Knolls condominiums and reduce the taxes that the city will derive. He stated preserving the attractive appearance of Aspen Meadow Lane will keep the desirability of our property for existing residents, potential buyers and help to assure maximum tax returns to the city. Mr. Blumber stated he understands that road improvements to Campbell Road are being considered. He stated he spoke about the flooding issue at the prior public hearing on May 4, 2016, and he hears that some of that work is being addressed. Mr. Blumber stated road improvements are needed to the intersection of Campbell Road and Aspen Meadow Lane to assure flow of traffic entering and exiting the condominiums and the transportation center. He shared a photo highlighting the intersection of Campbell Road and Aspen Meadow Lane. Mr. Blumber stated when people come down Campbell Road past the church, they block off the access to Aspen Meadow Lane. He stated if it would be reasonable to extend just three car lengths and put a stop line across the road with a sign that says "Do Not Block Intersection", traffic coming in off of Bland Boulevard could flow continuously without interruption. Mr. Blumber stated currently, drivers block the lane and we have to wait until someone gives you an opening and, this way, people coming out of Windy Knolls and the train station would be able to go south on Campbell Road. He stated this is far less than what has been discussed, and certainly would be reasonable to include as part of the work with the train station until the other work can be done. Mr. Blumber

stated one of the things he mentioned at the public hearing on May 4, 2016 was flooding, where he mentioned that this intersection floods when there is a high tide; however, he did note that the Lucas Creek bridge is already higher than what has been flooding over the past six years since he has been a resident of Windy Knolls. He stated the problem is between the bridge and the ditch. Mr. Blumber shared a photo delineating an area of the intersection of Campbell Road and Aspen Meadow Lane. He stated if that area of the intersection could be raised at the same time we are making the improvements adding lanes to make it possible for people to turn and stack, this would be a rather inexpensive way to solve the short term problem until a major road improvement can be done to the rest of Campbell Road. Mr. Blumber stated the initial design of the Bland Boulevard intersection with Campbell Road is defective, in that it allows the concrete median to stand out and make for a really acute turn if you want to turn left to go toward Warwick Boulevard from northbound on Campbell Road. He stated if that concrete median is cut back and the stop lines are straightened out, it will make a much easier turn for the busses trying to get in and out, which is already difficult for cars.

Ms. Fox asked if Conditions No. 3 and 4 may address some of Mr. Blumber's concerns about landscaping because it does call for a landscape plan consistent with the site regulation requirements and a 20 foot transitional buffer. Mr. Gleiser stated the 20 foot transitional buffer area is around the maintenance facility, not where the trains are coming in and out. He stated he asked if they have plans for extensive vegetation close to the road and right now it is not in the plan. Mr. Piper stated the trains will never be parked there. He stated it is a section of graded track and over 1% grade, Amtrak will not permit any parking there. Mr. Piper stated that when the trains turn around there is an amount of time for the guys on the ground to throw a switch and the train leaves. He stated there will be two trains there for less than five minutes a day, and does not justify significant screening.

Mr. Simmons stated there is a new culvert that is proposed to address the flooding issue Mr. Blumber noted. Mr. Urbano stated that is incorrect. He stated there is an intersection improvement at Bland Boulevard and Warwick Boulevard that installs new drainage and raises the intersection and alleviates some of the flooding associated with Lucas Creek.

Mr. Blumber stated his concern with the train track is not the view of the trains, but the track and the bumper at the end of it. He stated it does not take a lot of work to conceal those tracks and bumper. Mr. Blumber stated it is basically having this railroad with a big stop bumper at the end of the tracks, and he is concerned about the appearance of that because it comes right to Aspen Meadow Lane. Mr. Piper stated the tracks stop short of Lucas Creek, so it will not come up to Campbell Road. He stated it is nearly adjacent to Aspen Meadow Lane. Mr. Piper stated that section of the track work has some curvature in it so we can turn around a 1,000 foot train. Mr. Piper stated we will have a retaining wall at the very end, which is needed for us to stay out of the flood plain of Lucas Creek. He stated we may be able to screen something on the side of the

track, but the very end of the track will be sitting on a very small retaining wall to stay out of the Lucas Creek floodway.

Mr. Mulvaney stated it seems Mr. Blumber's requests seem inexpensive and reasonable, including the "Do Not Block Intersection" sign. He asked if those requests could be researched. Mr. Piper stated he would need to defer to the city. Mr. Urbano stated Engineering can study that, but it would be a separate function if it is warranted.

Mr. Carpenter closed the public hearing.

Ms. Fox made a motion to recommend approval of conditional use permit CU-16-366 to City Council, as recommended by staff. The motion was seconded by Mr. Groce.

Mr. Jones stated he thinks this project definitely fits into the transportation component of the comprehensive plan and will benefit the city as a whole, especially in the long-term as mass transit evolves with bicycles and pedestrians in proximity. He stated he is in favor of this application.

Vote on Roll Call
For: Maxwell, Fox, Jones, Simmons, Mulvaney, Austin, Willis, Groce, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (9:0) to recommend approval of conditional use permit CU-16-366 to City Council.

TECH CENTER AT OYSTER POINT MASTER PLAN, PHASE ONE

O3-16-01, COMMONWEALTH OF VIRGINIA DEPARTMENT OF GENERAL SERVICES JEFFERSON LAB A/P. Requests approval of Phase One of the Tech Center at Oyster Point Master Plan. Phase One includes a 3.3 acre portion of property including a portion of the city right-of-way located at 628 Hofstadter Road zoned O3 Office/Research and Development. The Parcel No. is 162.00-02-03.

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

Ms. Austin asked if a sidewalk would be on one or both sides of Hogan Drive. Mr. Gleiser stated there would be sidewalks on both sides.

Ms. Austin asked if the land where the sidewalks would be is part of the road right-of-way. Mr. Gleiser stated yes.

Ms. Austin asked if the 15-foot setback is a setback from the right-of-way. Mr. Gleiser stated yes.

Mr. Carpenter stated he is in favor of this building and development and he likes everything he has seen, but he is concerned that we are looking into the future and the road network installed for this development is of sufficient capacity that it helps alleviate some of the traffic off of Oyster Point Road and Jefferson Avenue. He asked if that is being considered. Mr. Gleiser stated there is a Traffic Impact Analysis (TIA) being reviewed by the Department of Engineering. He stated the traffic that is going to be generated by this building does not warrant any changes to the roads. Mr. Gleiser stated the traffic for this building was included in the TIA for the Tech Center. Mr. Carpenter asked if the TIA Mr. Gleiser is referring to only ties into the existing building we are looking at today. Ms. McAllister stated the TIA being reviewed today is for this building, but as the master plan is completely laid out, there will be another TIA that will address the overall master plan.

Mr. Carpenter opened the public hearing.

Ms. Lindsey Carney, 12350 Jefferson Avenue, Attorney for the applicant, spoke in favor of the application. She thanked Planning staff for their assistance. Ms. Carney gave a brief presentation of the application.

Ms. Carney stated a TIA was performed for the Marketplace at Tech Center and an update to that TIA has been submitted to Planning and Engineering. She stated that TIA takes into consideration the traffic at the Marketplace at full build-out, plus Building One. Ms. Carney stated the analysis prepared by the Timmons Group shows the Jefferson Avenue and Hogan Drive intersection will continue to operate at an acceptable overall Level of Service (LOS). She stated mainline operations along Jefferson Avenue continue to be acceptable and existing auxiliary lanes are sufficient to accommodate the project.

Mr. Mulvaney asked what is the LOS at the intersection of Jefferson Avenue and Hogan Drive, and is it staying at that because it is an LOS A going down to a LOS B. Ms. Carney stated it is staying at its existing level and she believes the intersection is at a LOS C when the initial TIA was done.

Mr. Groce asked how many people might be employed at this facility. Ms. Carney stated Building One is three stories with 80,000 square feet. She stated at this point, it is hard to project the number of people to be employed because we do not know the square footage divisions between the tenants, but we are looking at 80,000 square feet of additional office space for employment.

Mr. Carpenter closed the public hearing.

Mr. Jones made a motion to recommend adoption of master plan O3-16-01 to City Council, as recommended by staff. The motion was seconded by Mr. Simmons.

Vote on Roll Call
For: Fox, Jones, Simmons, Mulvaney, Austin, Willis, Groce, Maxwell, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (9:0) to recommend adoption of master plan O3-16-01 to City Council.

CONDITIONAL USE PERMITS

CU-16-367, Mishorim Gold Newport News LP. Requests a conditional use permit to allow for the operation of an amusement arcade located at 14346 Warwick Boulevard, Suite 402 (Denbigh Village Shopping Center) on a 27 acre parcel and zoned C1 Retail Commercial. The Parcel No. is 108.00-04-07.

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

Ms. Willis asked for information on the club membership. Mr. Watson stated it is a club and you have to have a membership to use the facility. He stated you can join and go the same day. Ms. Willis asked if the membership is only for driving the cars. Mr. Watson stated it is a family entertainment center and will have other activities such as bumper cars and a bounce house.

Mr. Maxwell asked if Ms. Willis is concerned it would become a night club. Ms. Willis stated yes.

Ms. Willis asked if it is a private club, how does it help tourism. Mr. Watson stated the draw of this facility is one within and outside of the area. He stated the applicant picked this site because it is close to the interstate, it is a large facility, it is indoors, and would be a large draw. Mr. Watson stated electric go-karting would be a unique attraction in the area.

Mr. Simmons stated he thinks this is a great adaptive reuse of the property and he thinks it is a great idea. Mr. Maxwell agreed.

Mr. Carpenter asked if there would be an age limit for the family activities. Mr. Watson stated that has not been discussed, but he is sure there would be a height requirement.

Mr. Mulvaney stated this is a nice adaptive reuse of one of the big boxes in the area. He stated people are always concerned with the vacant big boxes that we have in the city and this will occupy an old grocery store in an area that needs resurgence.

Mr. Carpenter opened the public hearing.

Mr. Emil Goduti, 12 Digges Drive, Agent for the applicant, spoke in favor of the application. He stated he was available for questions.

Ms. Willis asked for information on the club membership. Mr. Goduti stated the reason we are running it as a private club is, if you come to use the facility, you will need to identify yourself at the gate and show your driver's license. He stated we are going to have some questions so that we can maintain control. Mr. Goduti stated these are very expensive cars and we cannot have just anybody in there running around. He stated we are not planning on having any young children in the facility unless they are supervised by adults. Mr. Goduti stated he is sure there will be young teens driving. He stated there will be bumper cars and other activities so there will be something to entertain everybody.

Ms. Willis asked if the vehicles are for drivers 16 years old and over. Mr. Goduti stated there are two types of vehicles: one that is for smaller children and will handle someone from about 4'-6" to 5'-6" tall; and the other one takes a full size adult. He stated that, to his knowledge, they are not planning to put any of the small cars on the track, and drivers would probably be 15 years old and up. Mr. Goduti stated the 15 year olds do not need to have a driver's license, but they would need a parent present.

Mr. Mulvaney asked if the public is invited to join a private club because you are asking for identification, and there is not a membership. Mr. Goduti stated there will be a minimum charge to process the paperwork, but the membership to the private club helps to maintain control so if someone starts creating problems or not dressing appropriately, their membership can be revoked and the person removed. Mr. Mulvaney asked if he could come in off the street and join. Mr. Goduti stated yes. He stated this will not be a hangout area for people off the street to use the facilities. Mr. Goduti stated there will be bumper cars and snack bars.

Mr. Maxwell asked if Mr. Goduti is familiar with Rebounderz. Mr. Goduti stated yes. Mr. Maxwell asked if the membership is like their membership process. Mr. Goduti stated you have to have some identification to prove who you are. He stated it is a lot more complicated because the cars are all computerized, and if someone starts horsing around, there are track monitors with computers who will shut them down. Mr. Goduti stated the cars are approximately $28,000 each. Mr. Maxwell asked if the membership is per month. Mr. Goduti stated no, it is a one-time thing. He stated the membership is ancillary to getting information on attendees.

Mr. Carpenter closed the public hearing.

Ms. Fox made a motion to recommend approval of conditional use permit CU-16-367 to City Council, as recommended by staff. The motion was seconded by Mr. Simmons.

Ms. Willis stated she is happy the landscaping is being addressed because that was one issue that was brought up to her numerous times, that the plants that were taken out are replaced.

Mr. Jones stated the membership is like going to a gym for a day-pass. He stated a lot of people who come to Newport News ask him what their kids can do and he can recommend this.

Vote on Roll Call
For: Jones, Simmons, Mulvaney, Austin, Willis, Groce, Maxwell, Fox, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (9:0) to recommend approval of conditional use permit CU-16-367 to City Council.

CU-16-368, TGMC LLC. Requests a conditional use permit to allow for the operation of a tattoo establishment located at 12567 Warwick Boulevard, Unit 101 on a 0.89 acre parcel zoned C2 General Commercial. The Parcel No. is 202.00-02-09.

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

Ms. Fox asked if there is a difference between tattooing and cosmetic tattooing. Mr. Gleiser stated no, both require a conditional use permit.

Mr. Jones asked what are the hours of operation. Mr. Gleiser deferred to the applicant.

Ms. Shondra Blount, 560 Colony Road, applicant, stated the hours of operation would be 11:00 A.M. to 9:00 P.M. Monday through Saturday, and by appointment only on Sunday from 1:00 P.M. to 5:00 P.M. Mr. Jones asked if you walk in you cannot get an appointment. Ms. Blount stated not on Sundays. Mr. Jones asked if they have walk-in appointments. Ms. Blount stated we are different than most tattoo studios. She stated in most establishments you walk in and see pictures on the wall, and we are a completely custom studio, and a little more high end. Ms. Blount stated she has been in the industry for over a decade and she typically does not conform to what you would expect in this industry. She stated we are addressing a higher end clientele. Ms. Blount stated her customers have tattoos that are more conservative and thought out than addressing clientele with impulse tattoo purchases. She stated her business partner is her mother, who is a registered nurse, currently employed with Newport News schools. She stated she has been commuting to the southside for over a decade to work in this industry and she is very excited to have an opportunity to work in her community. Ms. Blount stated she is very community-oriented and is involved with animal aid societies, community centers and breast cancer awareness events. She stated we are definitely not a typical tattoo studio.

Mr. Jones stated there is a place in the shopping center that serves alcohol and he is concerned about that. Ms. Blount stated she is aware inebriated people will come in to get tattooed and it is not her practice to allow that. She stated she has experience kindly ushering inebriated people from making a tattoo decision, but will allow them to return at another time for an appointment. Ms. Blount stated she will have a breathalyzer device on location to help deter that behavior. She stated she does not cater to people who make poor decisions because they do not make good customers.

Ms. Fox stated the studio would not be open late. Ms. Blount stated we will close at 9:00 P.M. She stated we are an appointment setting facility and not the quick turnaround tattoo service. Ms. Blount stated people are going to travel or come in and book an appointment and be there for one to two hours at minimum. She stated we will not be working late hours because most of us have families. Ms. Blount stated this is why we are building a location close to home.

Ms. Blount stated we have the abutting properties which are dwellings. She stated there has been a screen installed and a lot of extra landscaping, which completely blocks the view, and everything else around there is heavily wooded and not very visible at all from any of the dwellings. Mr. Carpenter asked if the screen is a fence. Ms. Blount stated yes, it is one of the newer acrylic white screens with a small gap at the bottom an stands approximately 6 feet tall.

Mr. Gleiser stated Ms. Blount has been searching for locations for five years.

Mr. Mulvaney stated the demographic for getting tattoos today is much different than it used to be.

Mr. Carpenter opened the public hearing.

Ms. Shondra Blount, 560 Colony Road, applicant, stated she is available for questions. She stated she would like to clarify that there is a difference between regular tattooing and cosmetic tattooing. Ms. Blount stated that to legally apply permanent cosmetics you may have one of two licenses: a tattoo artist's license or a cosmetic tattoo artist's license. She stated a cosmetic tattoo artist may not apply an image, and a tattoo artist may apply permanent cosmetics and/or images. Ms. Fox asked if Ms. Blount could do both. Ms. Blount stated yes. She stated that some image tattooist do not have any business doing women's eyebrows. Ms. Blount stated our clientele are stationary and are with us for a few hours, so we would not affect traffic in any way. She stated she runs a tight ship and all litter will be picked up regularly.

Ms. Erin Arsenault, 21 Culpepper Avenue, spoke in favor of the application. She stated her house is right around the corner from the proposed studio. Ms. Arsenault stated this new building is phenomenal because it used to be a dilapidated old auto parts store. She stated she is a teacher with Newport News Public Schools and has numerous tattoos. Ms. Arsenault stated she is very excited and highly supportive of this shop

opening in Newport News. She stated she is an advocate for local economies and local art coming from and being located in Newport News. Ms. Arsenault stated she is looking forward to going there and recommending her friends to go there and she only sees positive things coming out of this because these are people from Newport News. She stated this is a custom studio where things are thought out. Ms. Arsenault stated she is very excited about having a higher end studio with more thought out and patient clientele getting custom work done. She stated she will patronize the studio, as well as her friends and co-workers. Ms. Arsenault stated people you see working in airports and government jobs have tattoos now and being able to say "I got this in Newport News" would be a good boost for the local economy and local art scene.

Mr. Christopher Kranz, 537 Onancock Trail, spoke in favor of the application. He stated he has worked for Ms. Blount in the past at two separate businesses and she holds everything to a very high standard regarding cleanliness and appearance. Mr. Kranz stated either he or another apprentice is in the parking lot cleaning up cigarette butts and any trash that would have accumulated from the night before or during the day. He stated he has been on his hands and knees scrubbing floors to keep up the shop's appearance. Mr. Kranz stated he takes a lot of pride in working for Ms. Blount. He stated she makes it very easy to take pride in the work. Mr. Kranz stated for this to come to Newport News, it will be a great help for him to get back into his apprenticeship and move forward because he does not have the time to commute to Chesapeake. He stated it would be great for the Planning Commission to approve this application.

Ms. Michele Arsenault, 17 Culpepper Avenue, spoke in favor of the application. She stated she has been a registered nurse for 21 years and has lived in Newport News for more than half of her life. Ms. Arsenault stated that because we do not have good facilities that are local for the students and the staff, we are seeing a lot of people come in from home tattoo parties. She stated it is better to go to a facility in a sterilized condition for tattoos and body piercing, not someone's home. Ms. Arsenault stated Ms. Blount runs a tight shop. She stated she is a neighbor to the facility and she has not spoken to anyone in the neighborhood area that is not supportive of the facility. Ms. Arsenault stated all work will be done by appointment during regular business hours. She asked that the Planning Commission please support Ms. Blount, because she will bring a better tattoo establishment to the city.

Mr. Carpenter closed the public hearing.

Ms. Fox made a motion to recommend approval of conditional use permit CU-16-368 to City Council, as recommended by staff. The motion was seconded by Mr. Groce.

Ms. Willis stated she thinks this is an awesome reuse of an existing space. She stated when she saw Schooner's was coming in she was wondering what else would come into that area.

Mr. Carpenter asked if the conditional use permit is tied to the real estate and not the operator. Ms. McAllister stated it is tied to the land.

Vote on Roll Call
For: Simmons, Mulvaney, Austin, Willis, Groce, Maxwell, Fox, Jones, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (9:0) to recommend approval of conditional use permit CU-16-368 to City Council.

CU-16-369, All Generations Church. Requests a conditional use permit to allow for the operation of a group home located at 28 Harpersville Road on a 6.44 acre parcel zoned C1 Retail Commercial. The Parcel No. is 246.00-05-02.

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

Mr. Simmons stated he thinks it is another great adaptive reuse for a facility. He stated Teen Challenge has done a great job and this is a great opportunity for them to expand and be able to continue to help our citizens.

Mr. Groce stated he spoke with a lady who lives directly next door. He stated she was in favor of the application. Mr. Groce stated her family had lived there for several years and the neighbors on the other side of the building did not object. He stated this sounds like a good fit.

Mr. Carpenter opened the public hearing.

Ms. Lindsey Carney, 12350 Jefferson Avenue, Attorney for the applicant, spoke in favor of the application. She thanked Planning staff for their assistance. Ms. Carney gave a brief presentation of the application.

Ms. Willis asked if there would be private homeschooling. Ms. Carney stated they will bring in tutors and teachers. Ms. Willis asked if there is no impact on the local schools. Ms. Carney stated that is correct.

Mr. Mulvaney stated you could not have built a more perfect facility for this use. He stated it was built by the diocese many years ago and set up exactly to maintain an inside environment.

Mr. Charlie Stamback, 1238 Gatewood Road, stated he has been at his address for 67 years. He stated he has seen a lot of changes in the area. Mr. Stamback stated he is not against the applicant. He stated his problem is the traffic. Mr. Stamback stated there is traffic from the high school, Mt. Carmel, a railroad crossing that backs up traffic,

and now he will have additional burden by bringing this into his neighborhood. He asked if there was a better place for this use. Mr. Stamback stated he welcomed the group home at the other end of his community and has no problem with them. He asked for help with his traffic problems. Mr. Stamback stated we need an overpass. He stated we have put everything everywhere else in Newport News but have failed to help his community. Mr. Stamback stated he came tonight for help with the traffic problems in his neighborhood. Mr. Carpenter asked if the overpass Mr. Stamback is referring to is the proposed overpass on Harpersville Road going over the railroad tracks. Mr. Stamback stated yes. He stated it is a two-lane road between Warwick Boulevard and Jefferson Avenue.

Mr. Carpenter asked if there is any update on an overpass on Harpersville Road. Ms. McAllister stated it is still in the plans, but she does not know the timing.

Mr. Stamback stated his grandfather was approached about putting an overpass there in 1963. He stated it is 2016 and nothing has happened. Mr. Stamback asked how long it takes to fix something like this. Mr. Carpenter stated nobody present has an answer for that, but Mr. Stamback should contact City Council.

Mr. Carpenter closed the public hearing.
Mr. Maxwell stated he appreciates everything the applicant has done for the young ladies who are struggling.

Mr. Simmons made a motion to recommend approval of conditional use permit CU-16-369 to City Council, as recommended by staff. The motion was seconded by Mr. Maxwell.

Vote on Roll Call
For: Mulvaney, Austin, Willis, Groce, Maxwell, Fox, Jones, Simmons, Carpenter
Against: None
Abstention: None

The Planning Commission voted unanimously (9:0) to recommend approval of conditional use permit CU-16-369 to City Council.

EXECUTIVE SECRETARY REPORT

Ms. McAllister stated that on May 24, 2016, City Council approved conditional use permits for the motor vehicle repair and service facility at 12011 and a portion of 12001 Jefferson Avenue, as well as the restaurant with drive-through service in Lee Hall at 13921 and 14523 Jefferson Avenue. She stated the conditional use permit for the mini-storage warehouse facility at 12445 and 12447 Warwick Boulevard was deferred to their June 28, 2016 meeting at the applicant's request.

Ms. McAllister stated the conditional zoning case for the Peninsula Airport Commission property at Jefferson Avenue and Brick Kiln Boulevard will be heard by City Council on June 14, 2016 at 7:00 P.M. She stated City Council voted for denial of the accompanying plan amendment at their May 10, 2016 meeting.

Ms. McAllister stated we have no cases for the June 15, 2016 meeting.

Mr. Groce made a motion to cancel the June 15, 2016 meeting. The motion was seconded by Mr. Simmons. The Planning Commission voted by acclamation to cancel the meeting.

Ms. McAllister stated the Planning Commission typically cancels the first meeting in July due to the Independence Day holiday.

Mr. Mulvaney made a motion to cancel the July 6, 2016 meeting. The motion was seconded by Mr. Groce. The Planning Commission voted by acclamation to cancel the meeting.

Ms. McAllister stated the July 20, 2016 public hearing will include a rezoning and conditional use permit for expansion of an existing automobile sales/used car dealership at 947 J. Clyde Morris Boulevard.

Ms. McAllister introduced Mr. Uri Cooper, Planning Intern. Mr. Cooper is a 4th year architecture student at Hampton University. His focus this summer will be on active public spaces for the comprehensive plan update and developing concepts for landscaping/traffic calming in support of Newport News Redevelopment & Housing Authority sites.

Ms. Fox asked if anyone is expected to go to the 2016 APA Virginia Annual conference. Ms. McAllister asked if anyone wants to go. Mr. Carpenter asked for more information. Ms. McAllister stated it would fall on the week of the July 20, 2016 public hearing and it is in Wintergreen this year. Ms. Fox asked if we want to go should we register ourselves and pay for it. Ms. McAllister stated to call Melissa Leskovar if you are interested in going.

COMMITTEE REPORTS

Mr. Carpenter asked if there is an update from the CPCAC. Ms. McAllister stated she does not have an update, but she knows Ms. Britta Ayers is planning to hold a meeting sometime this summer for the committee to review a draft.

UNFINISHED BUSINESS

Mr. Mulvaney stated he wants to note that when you look at the agenda today and the cases that we heard, we can see that Newport News continues to be on the move. He

stated it is exciting to see how it went from the multi-modal transportation center, which is well needed, to the Tech Center that is going to bring some beautiful buildings and high paying jobs into the city of Newport News, down to the adaptive reuse of a center that has been refaced and one of the big boxes being backfilled with a great amusement facility, all the way down to the fact we are trying to help our youth. Mr. Mulvaney stated if anybody is unsure how Newport News is working and moving forward, just look at today's agenda and our past agendas to see that there are a lot of great things happening in the city. Mr. Maxwell agreed.

Ms. Willis stated she would like to add a concern. She stated on a number of cases there have been complaints about traffic. Ms. Willis stated she thinks the city is a growing vibrant city that is full of traffic. She stated it is hard to determine where in the scheme of things traffic should be listed as far as a concern for when we grow, where we grow and how we grow. Ms. Willis stated as it stands, we have traffic issues everywhere in Newport News, so it is hard to continue to grow and infill and expand with the issues of traffic being a number one complaint on anything that comes before us.

Ms. McAllister stated Harpersville Road is identified in the comprehensive plan and she can research where it is in the Capital Improvement Plan (CIP). Mr. Carpenter stated there is an ingress/egress into Camp Morrison beside the railroad track and he does not know how that would tie into the overpass. He asked Ms. McAllister to find information about that.

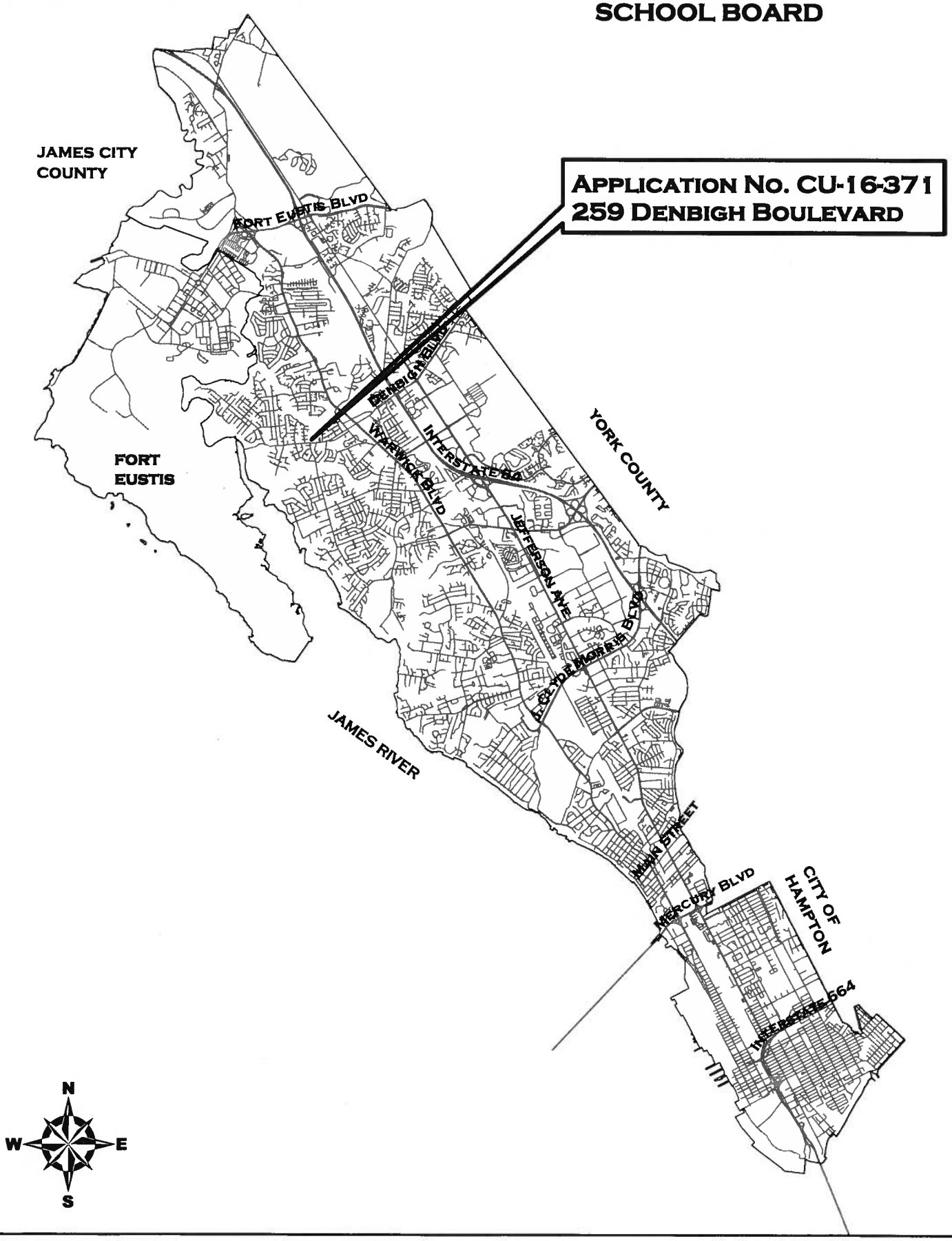
There being no further business, the meeting adjourned at 6:06 P.M.

Recording Secretary

Executive Secretary

CITY OF NEWPORT NEWS
PLANNING COMMISSION
AUGUST 3, 2016

CONDITIONAL USE PERMIT
APPLICATION NO. CU-16-371
CITY OF NEWPORT NEWS
SCHOOL BOARD



CONDITIONAL USE PERMIT NO. CU-16-371
CITY OF NEWPORT NEWS SCHOOL BOARD

OWNER/APPLICANT	Newport News School Board/ N8+C, LLC	**ZONING**	P1 Park (Appendix A-1)
LOCATION	259 Denbigh Boulevard, DHS Athletic Field	***FRAMEWORK***	Community facilities(Appendix A-3)
PRESENT USE	Public high school	**ACREAGE**	31.55 acres

REQUEST Expand the ground lease area of an existing communications tower

FACTS

North Epes Elementary School and a vacant parcel on property zoned P1 Park

East and West Single-family dwellings on property zoned R3 Single-Family Dwelling

South Denbigh United Presbyterian Church and single-family homes on property zoned R3 Single-Family Dwelling

Zoning History The property has been zoned P1 Park since the citywide comprehensive rezoning became effective August 1, 1997.

Regulatory Review Section 45 – 523 of the city code encourages collocations of wireless service providers where possible.

The zoning ordinance permits communications towers in the P1 Park zoning district with the approval of a conditional use permit. The existing communications tower was approved by City Council, conditional use permit CU-07-226, on August 14, 2007. This was the second communications tower built on the site. Conditional use permit CU-02-107

was approved by City Council on October 8, 2002 allowing the construction of a communications tower on a lease area outside of the right field fence of the baseball field.

The departments of Codes Compliance, Engineering, Public Works, Public Utilities, Fire, Police, Parks, Recreation and Tourism and Development have no objection to the request.

Comprehensive Plan Review

The *Framework for the Future 2030* comprehensive plan land use map designates community facilities for the property. A communications tower is compatible with this designation. (See Appendix A-3.)

ANALYSIS

There are currently two communications towers located on the Denbigh High School site. Both towers are a stealth design that replaced existing field lighting poles and support lighting fixtures on the school's baseball field. The first tower, approved in October, 2002 is located adjacent to the right field fence. The tower, approved in August, 2007 is located adjacent to the left field fence. When this conditional use permit was granted, it included a condition requiring the provision of space on the tower for an additional wireless service provider in conformance with section 45-523 of the city code. Another condition designated a ground lease area limited to 1,188 square feet for the accommodation of the tower and all ancillary ground equipment. (See Appendix A-2.)

A second service provider wishes to collocate on the communications tower. While space is available on the tower for the second antenna array, the ground equipment required by the new service provider will not fit within the lease area specified and conditioned in CU-07-226. The applicant requires an additional 120 square feet of space to accommodate the new equipment and the applicant proposes to expand the lease area in order to accommodate the new equipment. This additional area shall be fenced and screened in the same manner as existing lease area. (See Appendix A-2.)

The new antenna array will be of similar design as the antenna array currently on the tower and will be located below the existing antenna. A structural evaluation was completed for the tower in March, 2016. This evaluation determined that the tower and foundation are adequate to support the proposed additional antenna arrays. (See Appendix A-5.)

CONCLUSION

The expansion of the lease area will accommodate ground mounted equipment required by a second service provider. The equipment area is not visible from either adjacent properties or the school building and will remain as such after expansion. The condition that addressed the lease area in CU-07-226 will be modified to allow the additional lease area for the tower and ancillary equipment.

STAFF RECOMMENDATION

Recommend approval of conditional use permit CU-16-371 to allow for the expansion of the ground lease area of a communications tower with the following conditions:

1. The placement of the tower and associated equipment shall be limited to the 1,308 square feet lease area identified on Exhibit A-2.

2. The height of the communications tower shall not exceed 135 feet including antennas and appurtenances. The design of the tower shall be a stealth light pole with a low profile platform array.

3. The final design and materials of the tower and equipment shall be submitted to and approved by the Director of Planning prior to site plan approval.

4. Except where specified herein, all applicable provisions of Chapter 45, Zoning Ordinance of the Code of the City of Newport News, Virginia Article V, General Regulations Applicable without Reference to Zoning Districts, Section 45-523, Communication Tower/Antenna, shall be met, prior to issuance of a building permit, to include the requirement of a bond to expedite removal of the tower within twelve (12) months of obsolescence, cessation of use or abandonment.

5. The owner or owners of the communications tower, through its lease agreement with the Newport News School Board, shall permit the Newport News School Board the right of first refusal for collocation of any school equipment on the tower.

6. The tower shall have no markings, signs, or lighting except for the lighting required for the baseball field and that which is required by the Federal Aviation Administration (FAA).

7. Violation of any of the above conditions and safeguards attached thereto shall be deemed a violation of the zoning ordinance, and, in addition, shall serve as grounds for revocation of the conditional use permit by the City Council.

8. The applicant, as well as successors, assigns, and agents, shall comply with all codes, ordinances and regulations of federal, state and local government.

9. The applicant, as well as his successors, assigns, and agents, shall obtain all necessary licenses, approvals, or conditional approvals, and permits prior to commencing any use, which is authorized by this conditional use permit or law. The applicant, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, and permits for the entire period of time during which the real property, whether improved

or otherwise is put to a use which is authorized by this conditional use permit.

10. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; therefore, the conditions contained in this conditional use permit are not severable; in the event that any condition contained herein, of part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional or otherwise unenforceable, then the use permitted by this conditional use permit shall be void and the use permitted by this conditional use permit shall be invalid. If this conditional use permit becomes void as a result of a condition or a part thereof, or conditions there in, being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a conditional use permit.

11. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition contained herein; as such, in the event of an amendment to the zoning of the property is produced by a comprehensive implementation of a new or substantially revised zoning ordinance, the conditions imposed by the conditional use permit shall continue in effect.

APPENDIX

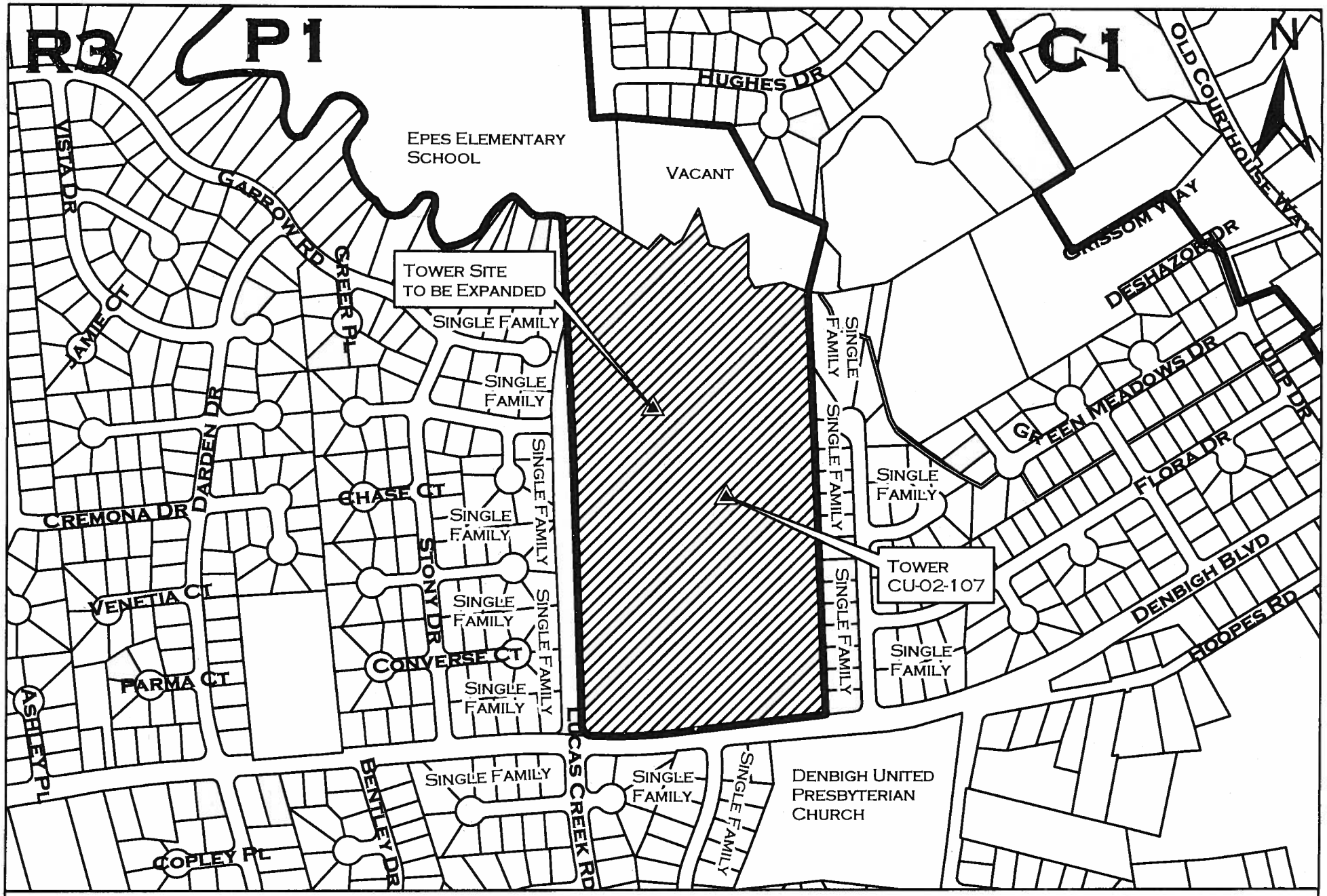
A-1 VICINITY/ZONING MAP

A-2 SITE PLAN

A-3 *FRAMEWORK FOR THE FUTURE 2030* LAND USE MAP

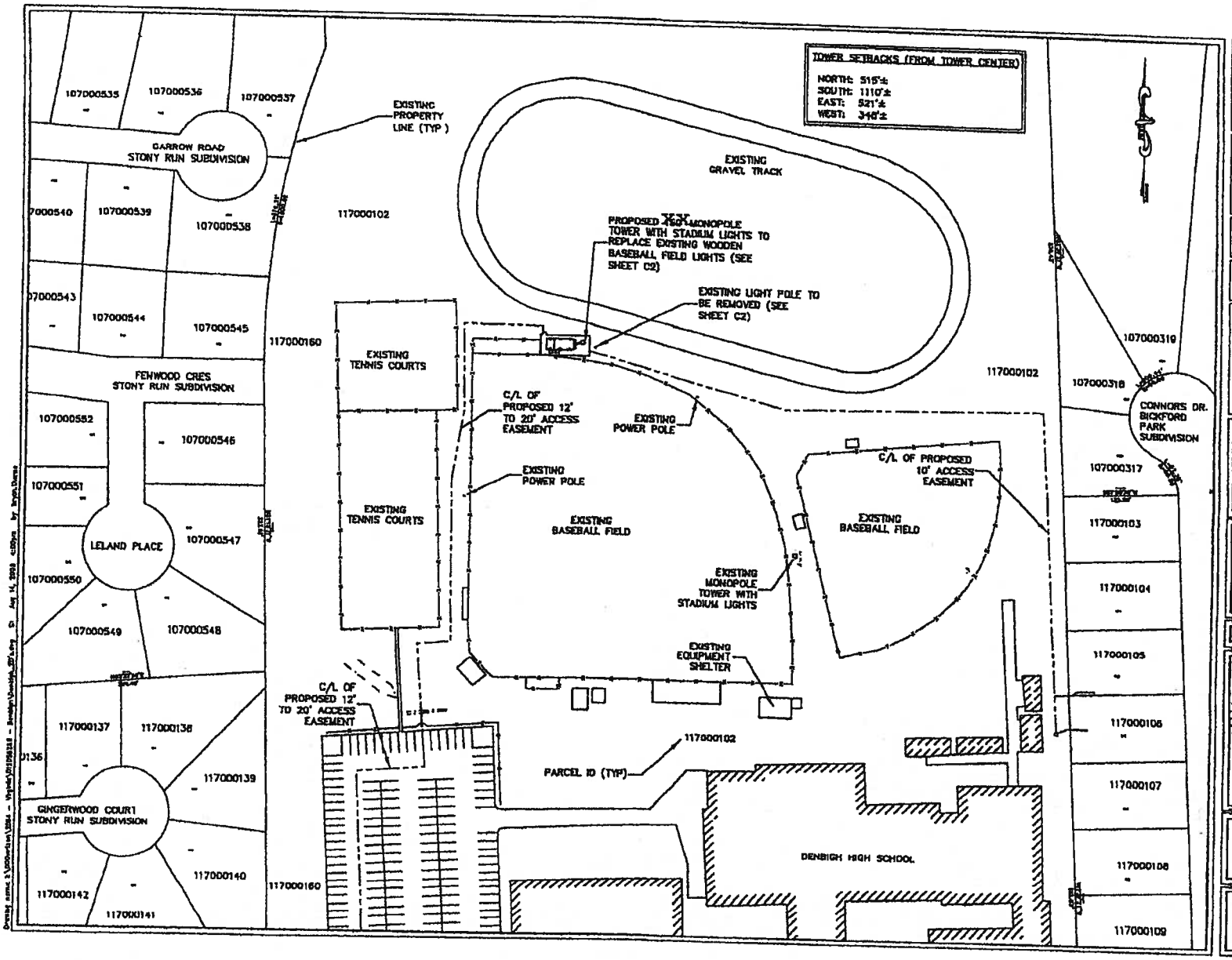
A-4 AERIAL MAP

A-5 STRUCTURAL EVALUATION



CITY OF NEWPORT NEWS SCHOOL BOARD

CU-16-371



VERIZON WIRELESS
1630 MAIN COURT
RICHMOND, VA 23222

PROJECT INFORMATION:
WEST DENBIGH
R/W LAND
258 DENBIGH BLVD.
NEWPORT NEWS, VA 23608
NEWPORT NEWS CITY COUNTY

CURRENT ISSUE DATE:
08/14/06

ISSUED FOR:
ZONING REVIEW

REV.	DATE	ISSUED FOR:

CONSULTANT:
Kimley-Horn and Associates, Inc.
Post Office Box 33068
Raleigh, North Carolina 27636

CONSULTANT:

DRAWN BY:	CHK.:	APV.:
JSD	KRM	LVL

LICENSED PROFESSIONAL ENGINEER
COMMONWEALTH OF VIRGINIA
LESTER LOY
No. 040898
8/14/06

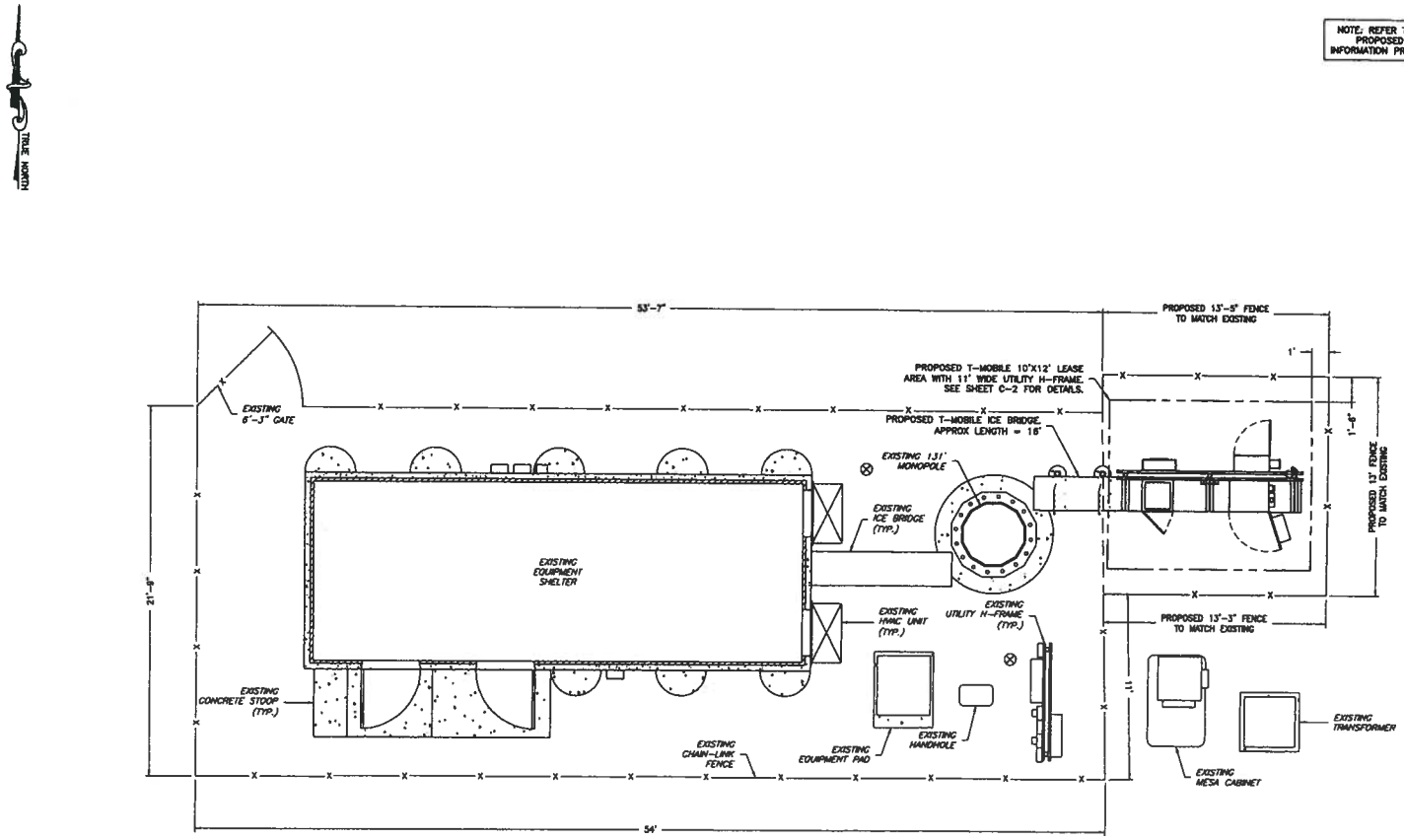
SHEET TITLE:
OVERALL SITE LAYOUT AND SETBACKS

SHEET NUMBER: C1
REVISION: A
012055266

A-2

A-2

NOTE: REFER TO STRUCTURAL ANALYSIS FOR PROPOSED ANTENNA CABLE ROUTING INFORMATION PRIOR TO INSTALLING ICE BRIDGE.



1 / C-1 COMPOUND PLAN
SCALE: 1" = 7'-0"

811 Know what's below. Call before you dig.

ENGINEER

NB+C TOTALLY COMMITTED.
NB+C ENGINEERING SERVICES, LLC.

APPLICANT

T-Mobile
7668 WARREN PARKWAY
FRISCO, TX 75034
972-484-3510

SITE INFORMATION

T-MOBILE SITE ID: VA50198C
ATC SITE ID: 420533
WESTDINBIGH VA
NB+C PROJ. # 27759
259 DENBIGH BLVD
NEWPORT NEWS, VA 23608
NEWPORT NEWS COUNTY

DESIGN RECORD

REVISIONS

REV	DATE	DESCRIPTION	BY
2	05/18/16	FINAL	AI
1	04/18/16	PRELIMINARY	AI
0	03/31/16	PRELIMINARY	AI

PROFESSIONAL STAMP

COMMONWEALTH OF VIRGINIA
TRENT TRAVIS SNARR
Lic. No. 049978
DATE 05/18/16
PROFESSIONAL ENGINEER

ENGINEER

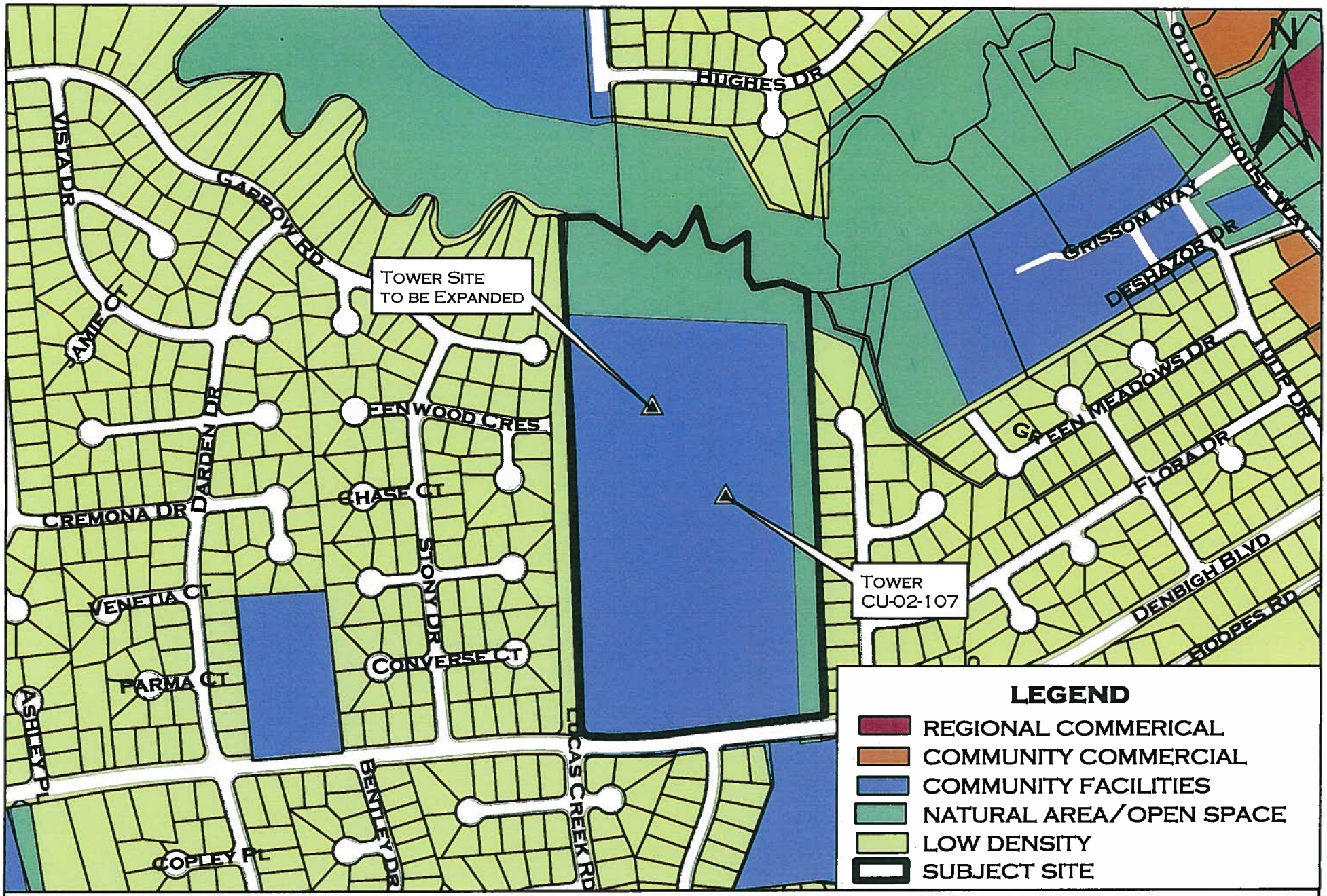
TRENT T. SNARR, P.E.
VA PROFESSIONAL ENGINEER LIC. 049978

SHEET TITLE

COMPOUND PLAN

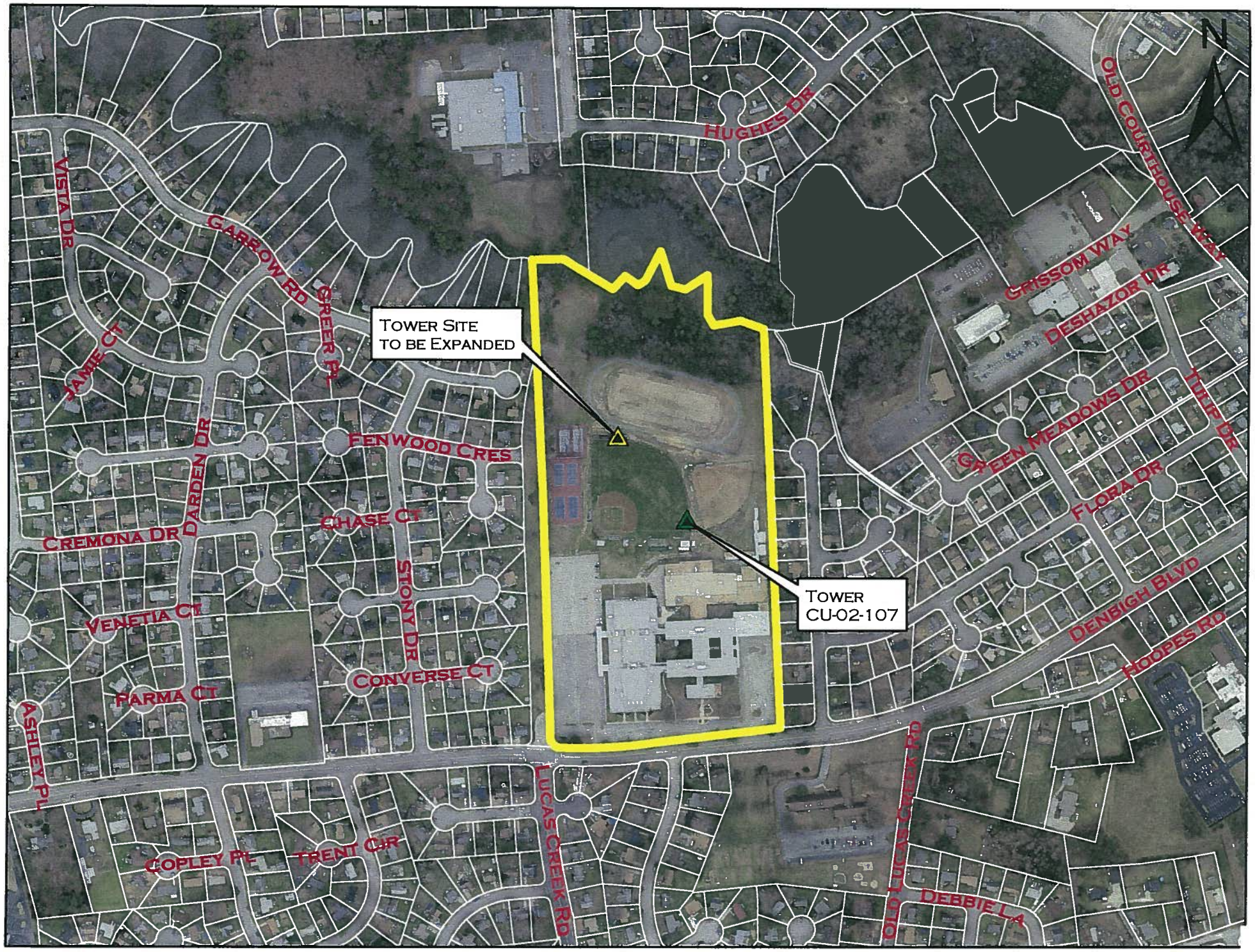
SHEET NUMBER

C-1



City of Newport News School Board

Framework for the Future 2030


N
Tower Site
to be Expanded
Tower
CU-02-107
Hughes Dr
Old Courthouse Way
Grissom Way
Deshazor Dr
Tulip Dr
Green Meadows Dr
Flora Dr
Denbigh Blvd
Hoopes Rd
Old Lucas Creek Rd
Debbie La
Lucas Creek Rd
Vista Dr
Garrow Rd
Greer Pl
Jamie Ct
Darden Dr
Fenwood Cres
Chase Ct
Cremona Dr
Stony Dr
Venetia Ct
Converse Ct
Parma Ct
Ashley Pl
Copley Pl
Trent Cir

AMERICAN TOWER®
CORPORATION

Eng. Number 65697312
March 8 2016

Structural Evaluation	
ATC Site Number & Name	**420533, Westdinbigh VA, VA**
Carrier Site Number & Name	**VA50198CA, Denbigh High**
Site Location	259 Denbigh Boulevard Newport News, VA 23608-3327, Newport News (ind City) County 37.128142 N / -76.548961 W
Tower Description	**131 ft Monopole**
Basic Wind Speed Basic Wind Speed w/ Ice Code	105 mph (3-Second Gust, V_{asd}) / 136 mph (3-Second Gust, V_{ult}) 30 mph (3-Second Gust) w/ ½ " ice ANSI/TIA-222-G / 2012 IBC / Virginia Uniform State Building Code

Existing and Reserved Equipment

Elevation[1] (ft)		Qty	Antenna	Mount Type	Lines	Carrier
Mount	RAD					
131.0	131.0	2	RFS FD9R6004/1C-3L	T-Arm	(12) 1 5/8" Coax (1) 1.46" Hybrid	Verizon
		4	7" x 6" x 3" Diplexer			
		6	Antel BXA-185063/12CF			
		1	RFS DB-B1-6C-8AB-0Z			
		6	Antel BXA-80063/8CF			
		1	VZW Unused Reserve: 19,391 sq in			
129.0	129.0	3	Alcatel-Lucent RRH2x40-AWS	Stand-Off	-	

Equipment to be Removed

Elevation[1] (ft)		Qty	Antenna	Mount Type	Lines	Carrier
Mount	RAD					
No loading considered as to be removed						

Proposed Equipment

Elevation[1] (ft)		Qty	Antenna	Mount Type	Lines	Carrier
Mount	RAD					
118.0	118.0	6	Ericsson RRUS-11	Platform w/ Handrails	(2) 1 5/8" (1.63") Fiber	T-Mobile
		3	Ericsson AIR 32 B4A-B2P			
		3	Commscope SBNH-1D65C.TMO			

[1] Mount elevation is defined as height above bottom of steel structure to bottom of mount, RAD elevation is defined as center of antenna above grade level (AGL).

Install proposed coax inside of the pole shaft.

The existing and proposed loads listed in the tables above are compared to the tower's current design capacity or previous structural analysis. The tower should be re-evaluated as future loads are added or if actual loads are found different from those listed in the tables. The subject tower and foundation ***are adequate*** to support the above stated loads in conformance with specified requirements.

Reviewed by:
Neil Kuplic, PE
Director of Structural Engineering

COMMONWEALTH OF VIRGINIA
NEIL J KUPLIC
025508
PROFESSIONAL ENGINEER

NOY/KMV

Mar 9 2016 4:27 PM

ZONING TEXT AMENDMENT NO. ZT-16-380
CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Article XXIX, Nonconforming Uses, by adding a new Section 45-2903, Filing Fee Waiver for Rezoning, Conditional Use Permits and Special Exception, to comply with state code changes passed by the 2016 General Assembly.

The new law provides that if a use is nonconforming, and if a business license was issued for the use, the holder of the business license has operated continuously in the same location for at least fifteen (15) years and paid all taxes, then the city must allow the holder of the business license to apply for a rezoning, conditional use permit or special exception without charge for that use.

On July 20, 2016, the Regulations Committee reviewed and recommends approval of the above referenced amendment.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to City Council adoption of the Zoning Ordinance text amendment ZT-16-380.

APPENDIX

A-1 ARTICLE XXIX, NONCONFORMING USES, BY ADDING SECTION 45-2903, FILING FEE WAIVER FOR REZONING, CONDITIONAL USE PERMITS AND SPECIAL EXCEPTIONS.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XXIX, NONCONFORMING USES, BY ADDING THERETO A NEW SECTION, NAMELY: SECTION 45-2903, FILING FEE WAIVER FOR REZONING, CONDITIONAL USE PERMITS AND SPECIAL EXCEPTIONS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article XXIX, Nonconforming Uses, be, and the same hereby is, amended and reordained, by adding thereto a new section, namely: Section 45-2903, Filing fee waiver for rezoning, conditional use permits and special exceptions, as follows:

CHAPTER 45

ZONING ORDINANCE

ARTICLE XXIX. NONCONFORMING USES

Sec. 45-2903. Filing fee waiver for rezoning, conditional use permits and special exceptions.

If a use does not conform to the zoning prescribed for the district in which the use is situated, and if (i) a business license was issued for the use, (ii) the holder of such business license has operated continuously in the same location for at least 15 years, and (iii) has paid all local taxes related to the use, the holder of such business license shall be permitted to apply for a rezoning, a conditional use permit, or a special exception without charge.

ZONING TEXT AMENDMENT NO. ZT-16-381
CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Article XXXI. Overlay Zoning Districts and Regulations, Division 8., Lower Jefferson Avenue Urban Corridor Overlay District, Section 45-3161.1, Signs.

The purpose of the change is to allow a shopping center sign in the Lower Jefferson Avenue Urban Corridor Overlay District for the Brooks Crossing development between 29th and 33rd Streets. (See Appendix A-1.)

The Lower Jefferson Avenue Urban Corridor Overlay District regulations prohibit freestanding and temporary signs. While this regulation achieves the design objective for the commercial properties along Jefferson Avenue, it did not anticipate construction of commercial uses further off Jefferson Avenue as has now been accomplished with the new Jim's Market and associated commercial space in Brooks Crossing. The amendment proposes to allow one (1) freestanding sign for the building housing Jim's Market and other tenants. All other buildings will continue to be permitted building signs only, as has been the case since the regulations were adopted.

This development is the only commercial property in the Lower Jefferson Avenue Urban Corridor Overlay without direct frontage on Jefferson Avenue. Therefore, the possibility of a proliferation of freestanding signs along the corridor is negligible. (See Appendix A-2.)

On July 20, 2016, the Regulations Committee reviewed and recommends approval of the above referenced amendment.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to City Council adoption of the Zoning Ordinance text amendment ZT-16-381.

APPENDIX

A-1 BROOKS CROSSING MASTER PLAN

A-2 LOWER JEFFERSON AVENUE URBAN CORRIDOR OVERLAY DISTRICT

A-3 ARTICLE XXXI. OVERLAY ZONING DISTRICTS AND REGULATIONS, DIVISION 8., LOWER JEFFERSON AVENUE URBAN CORRIDOR OVERLAY DISTRICT, SECTION 45-3161.1, SIGNS

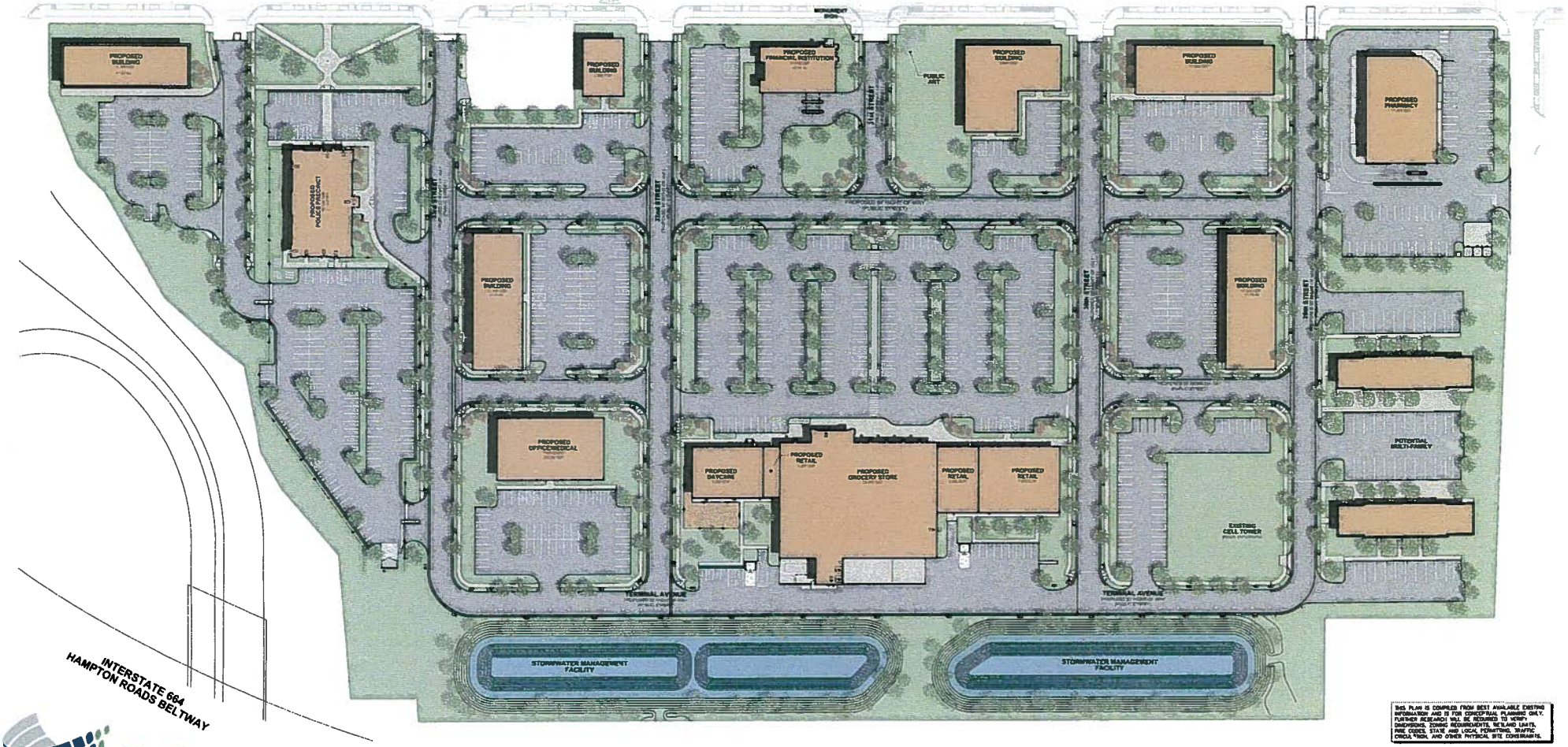
Brooks Crossing

Newport News, Virginia

Overall Conceptual Site Plan

Southeast Commerce Center Associates, LLC

August 13, 2015

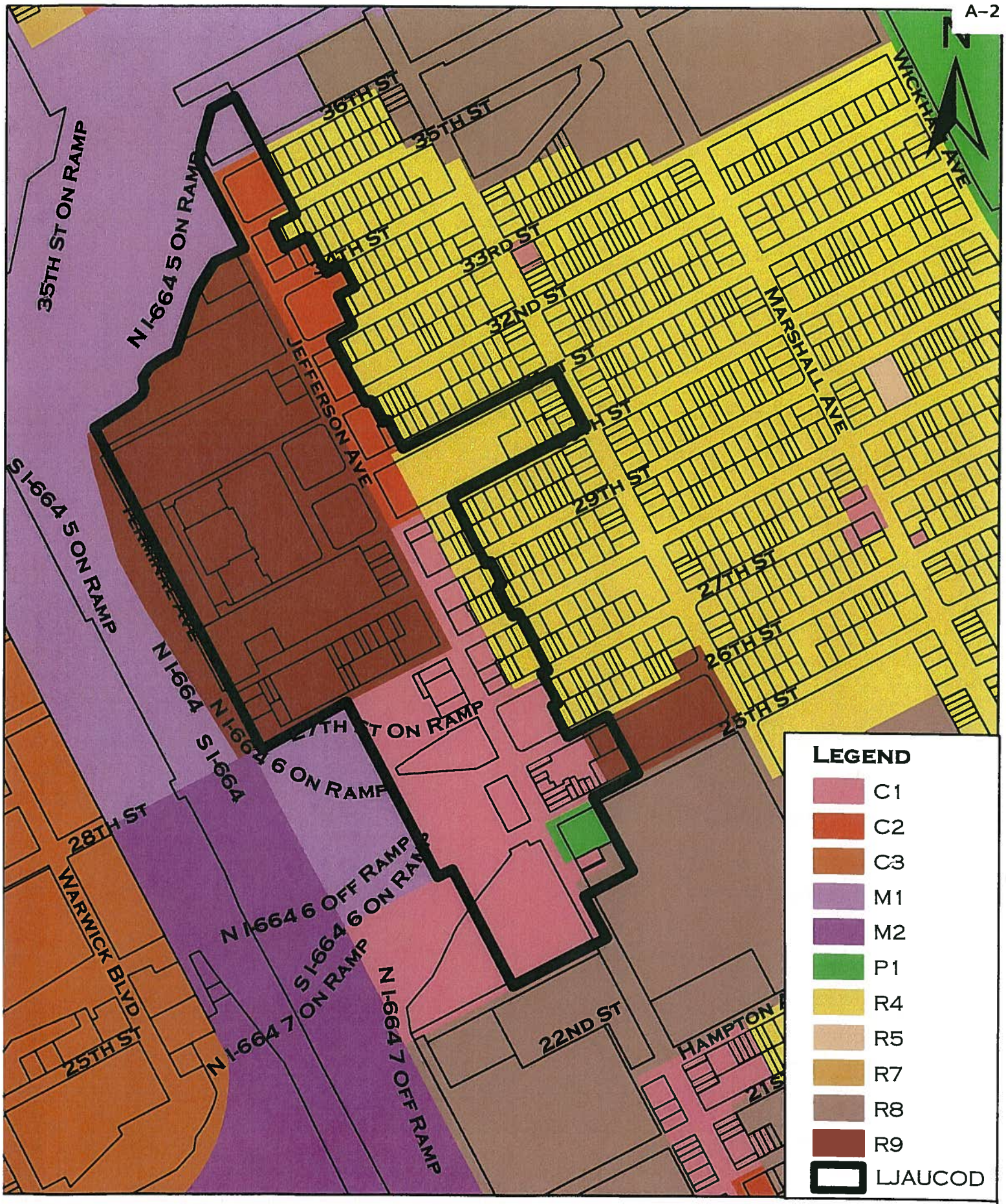


THIS PLAN IS COMPILED FROM BEST AVAILABLE EXISTING INFORMATION AND IS FOR CONCEPTUAL PLANNING ONLY. FURTHER RESEARCH WILL BE REQUIRED TO VERIFY DIMENSIONS, ZONING REQUIREMENTS, WETLAND LIMITS, FIRE CODES, STATE AND LOCAL PERMITTING, TRAFFIC CIRCULATION, AND OTHER PHYSICAL SITE CONSTRAINTS.

vhb

50 0 50 100
SCALE IN FEET

A-1



Lower Jefferson Avenue Urban Corridor Overlay District

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XXXI., OVERLAY ZONING DISTRICTS AND REGULATIONS, DIVISION 8., LOWER JEFFERSON AVENUE URBAN CORRIDOR OVERLAY DISTRICT, SECTION 45-3161.1, SIGNS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article XXXI., Overlay Zoning Districts and Regulations, Division 8., Lower Jefferson Avenue Urban Corridor Overlay District, Section 45-3161.1, Signs, be, and the same hereby is, amended and reordained, as follows:

CHAPTER 45

ZONING ORDINANCE

ARTICLE XXXI. OVERLAY ZONING DISTRICTS AND REGULATIONS

DIVISION 8. LOWER JEFFERSON AVENUE URBAN CORRIDOR OVERLAY DISTRICT

Section 45-3161.1. Signs.

(a) Prior to review and the issuance of a sign permit by the director of codes compliance, all ~~building~~ signs shall be submitted to and approved by the director of planning. The submission shall include: sign design, location, dimensions of the proposed signs, a drawing to a readable scale, colors, and a description of the sign materials and method of illumination.

(b) Signs permitted in the district shall be those set forth in Chapter 33.01, Newport News City Code, except those specifically prohibited by this chapter.

(c) Portable and freestanding signs are prohibited, except as provided in (d) below.

(d) A shopping center of fifty thousand (50,000) square feet or greater of gross leasable area developed in the Lower Jefferson Avenue Urban Corridor Overlay District without frontage on Jefferson Avenue and developed pursuant to an approved master plan as required in Section 45-3161, shall be allowed one (1) freestanding sign on a sign parcel adjacent to Jefferson Avenue.

Such sign shall be no more than ten (10) feet in height and eighty (80) square feet in area.

(e) For the purposes of this article, a sign parcel shall be defined as an individually, legally created parcel in the Lower Jefferson Avenue Urban Corridor Overlay District designed to be used exclusively for construction of a freestanding sign.