

1. Planning Commission Meeting Documents

Documents:

[CPC AGENDA 1.19.22.PDF](#)

[CITY PLANNING COMMISSION - DECEMBER 1, 2021.PDF](#)

Agenda

Newport News Planning Commission

City Council Chambers
2400 Washington Ave
Wednesday, January 19, 2022, 2:00 PM

City of
NEWPORT NEWS
Virginia



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Minutes

City Planning Commission Meeting

City Council Chambers, 2400 Washington Ave
Wednesday, December 1, 2021, 2:00 PM

City of
NEWPORT NEWS
Virginia



MEMBERS PRESENT: Katie Stodghill, Chairwoman; Sharyn L. Fox, Vice-Chairwoman; Timothy Grabowski; Phillip Jones; Philip Shook; and LaMonte Williams

MEMBERS ABSENT: Randie T. Dyess, Jr.; Willard G. Maxwell, Jr.; and Michael Taylor

OTHERS PRESENT: Sheila W. McAllister, Planning Director; Flora D. Chioros, Assistant Director – Current Planning; Saul Gleiser, Senior Planner; Toluwalase Ibikunle, Senior Planner; Carolyn Poissant, Senior Planner; Kenar Johnson, Planner I; Sharon Baum, Landscape Planner; and Lynn Spratley, Deputy City Attorney

A. Call to Order

Ms. Stodghill called the meeting to order at 2:00 P.M.

B. Planning Commission Creed and Approval of the Agenda

Mr. Shook 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. Fox seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

C. Invocation

The invocation was rendered by Mr. Williams.

D. Pledge of Allegiance

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

E. Minutes

The minutes of the November 3, 2021 public meeting were approved as presented.

F. Public Hearing

CONDITIONAL USE PERMIT

- (a) **CU-2021-0009, RICHMAN PROPERTY HOLDINGS, LLC** Requests a conditional use permit to allow for the operation of an auto body and paint shop on a 2.37 acre parcel located at 529 J. Clyde Morris Boulevard zoned M1 Light Industrial. The *One City, One Future 2040 Comprehensive Plan* recommends industrial uses for the property. The Parcel No. is 213.00.01.27.

Kenar Johnson, Planner I, presented the staff report (copy attached to record minutes).

Mr. Grabowski asked what is the procedure if an inoperable vehicle is delivered to the property after business hours. Mr. Johnson stated if a vehicle is dropped off overnight, it will be moved inside the building in the morning until repairs are completed. Mr. Grabowski asked what is the procedure if an inoperable vehicle is delivered on a day the business is closed. Ms. McAllister stated if a vehicle is dropped off on a weekend, it is not considered storage because it would be dropped off in front of the building. She stated the applicant will move the vehicle into the building on the following business day. Mr. Grabowski asked if the vehicle is dropped off in front of a building is it considered "outside storage". Ms. McAllister stated that is not "outside storage". She stated there is a rear yard, and what we do not want is that rear fenced yard filled with stored cars. Mr. Grabowski stated his concern is customers not being able to drop their cars off after business hours because the applicant would be in violation of storing cars. Ms. McAllister stated that would not be an issue.

Ms. Stodghill asked if the city code allows combined interior and exterior parking spaces when calculating parking needs. Ms. McAllister stated yes.

Ms. Stodghill asked what will the sheds be used for in the rear of the property. Mr. Johnson stated the sheds belong to residents in the Deer Park subdivision not the applicant.

Ms. Stodghill asked if the existing property lights will be replaced. Ms. Chioros stated the conditions require a site plan and site lighting will be addressed as part of site plan review.

Ms. Stodghill asked if all business operations will be performed with the doors shut. Mr. Johnson stated yes.

Ms. Stodghill opened the public hearing.

Mr. Timothy Trant, Kaufman & Canoles, Attorney for the Applicant, 11815 Fountain Way, thanked Planning staff for their assistance. He gave a brief presentation of the application (copy attached to record minutes). Mr. Trant stated the applicant is comfortable with the proposed conditions in the staff report. He stated it is the applicant's practice to only receive vehicles when the business is open and in operation, with few exceptions. Mr. Trant stated they do not intend to leave broken down cars outside for any period of time. Ms. Stodghill asked if the applicant intends to stockpile cars and use them for parts. Mr. Trant stated no. He stated the hours of operation are 8:00 A.M. to 5:00 P.M., Monday through Friday. Mr. Trant stated it is possible they may operate for longer hours during the week, or possibly on Saturdays, depending on workload. Mr. Trant stated the work space is conditioned and doors will be closed while repairs are being completed.

Mr. Williams asked if towing is just towing cars into the facility for repairs, and not contracts to tow vehicles as a separate revenue stream. Mr. Trant stated they will only tow cars to the site for repair they will not store cars.

Ms. Stodghill closed the public hearing.

Ms. Fox stated this is a perfect example of a really good reuse of a vacant building.

Ms. Fox made a motion to recommend approval of conditional use permit CU-2021-0009 to City Council with conditions. The motion was seconded by Mr. Grabowski.

Vote on Roll Call:

For: Jones, Shook, Williams, Fox, Grabowski, Stodghill

Against: None

Abstention: None

The City Planning Commission voted unanimously (6:0) to recommend approval of conditional use permit CU-2021-0009 to City Council with conditions.

ZONING TEXT AMENDMENTS

- (b) **ZT-2021-0003, CITY OF NEWPORT NEWS** Requests an amendment to the zoning ordinance Article II, Definitions to clarify the definition of commercial parking lot and add definitions for off-site parking lot and truck stop (Section 45-201).

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

Ms. Stodghill asked if truck stops are allowed in the zoning ordinance. Ms. Chioros stated they are not defined and they are not allowed at this time. Ms. Stodghill asked if there are things that are defined but not allowed in the zoning ordinance. Ms. McAllister stated no.

Mr. Grabowski asked why are we proposing to limit parking to 30 days. Ms. Chioros stated a commercial parking lot is a parking lot where parking spaces are rented out. She stated currently, we use the word storage which allows someone to think that you can store cars there, which is not what that means. Ms. Chioros stated we are removing “storage” to clarify the intent, we are recommending that the text allow only a 30 day time period where someone can park there consecutively. She stated for instance if someone works downtown and wants to park their car and pay for parking, they can do that on a daily basis. Mr. Grabowski asked if this amendment is a proactive measure or a reactive measure. Ms. Chioros stated it is proactive.

Mr. Williams asked if this amendment would impact storage areas. Ms. Chioros stated no, that is a different use classification with different requirements.

Ms. Stodghill asked how many interstate interchanges have 3+ acres. Ms. Chioros stated maybe two or three.

Mr. Williams asked if this prohibits independent truckers to park in open spaces within the city. Ms. Chioros stated this amendment addresses the definitions and the next amendment (ZT-2021-0004) will address locations where the use would be allowed to occur. She stated what we are discussing is commercial parking lots as their sole purpose, that means that the commercial parking lot is not associated with another structure or use.

Ms. Fox asked if this would allow an RV to park overnight in a Walmart parking lot. Ms. Chioros stated no. She stated if you are parking in a parking lot, it is up to the property owner which is a different classification. Ms. Chioros stated this amendment is allowing someone to create a commercial parking lot for trucks to use and pay a rental fee.

Ms. Stodghill asked if any developers have proposed a truck stop in the city. Ms. Chioros stated not at this time.

Ms. Stodghill opened and closed the public hearing.

Mr. Williams made a motion to recommend adoption of zoning text amendment ZT-2021-0003 to City Council. The motion was seconded by Mr. Shook.

Ms. Stodghill stated she has concerns about allowing truck stops on the Interstate 64 interchanges in Newport News. She stated it is odd that we would define something that is not in our zoning ordinance. Ms. McAllister stated there is nothing wrong with defining the use in anticipation of allowing it somewhere in your city in the future.

Vote on Roll Call:

For: Shook, Williams, Fox, Grabowski, Jones

Against: Stodghill

Abstention: None

The City Planning Commission voted 5:1 to recommend adoption of zoning text amendment ZT-2021-0003 to City Council.

- (c) **ZT-2021-0004, CITY OF NEWPORT NEWS** Requests an amendment to the zoning ordinance Article IV, Summary of Uses to amend commercial parking lots and add truck stop to the summary of uses table "L" Transportation (Section 45-402).

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

Mr. Williams asked if a truck stop can only be in an M2 Heavy Industrial district. Ms. Chioros stated yes that is what is being proposed.

Ms. Stodghill asked for examples of where M2 Heavy Industrial districts are. Ms. Chioros gave several examples.

Ms. Fox asked if truck stops would place an additional burden or impact on places where people are currently parking, such as at the shipyard, etc. Ms. Chioros stated the commercial parking lot for large vehicles was not defined, but this would allow someone to propose a commercial parking lot for the rental of parking spaces to independent truckers. She stated it will be allowed in M1 Light Industrial districts with a conditional use permit or M2 Heavy Industrial districts by right.

Ms. Stodghill stated she is concerned about truck stop locations adjacent to the railroad tracks. Ms. McAllister stated most of the industrial uses along the railroad tracks are M1 Light Industrial. Ms. Stodghill asked if they would be allowed in Oakland Industrial Park. Ms. Chioros stated while Oakland Industrial Park is zoned M2 Heavy Industrial it has additional restrictions.

Ms. Stodghill opened the public hearing.

Mr. Kenneth Penrose, 22 Barclay Road, stated he is a commercial real estate broker and he has property in an M1 district. He asked for clarification of the amendment. Ms. Chioros stated what we are trying to prevent is having a lot of trucks park on Industrial Park Drive or on city streets, doing maintenance on their trucks and leaving debris, etc. She stated this amendment will allow the use to occur on a parcel that is developed for that purpose. Mr. Penrose stated he has a parcel on Industrial Park Drive that is 1.5 acres and he has had several people ask to purchase it for this purpose, but is not in the use matrix. Ms. Chioros stated the amendment will allow them to use the property for this purpose. Mr. Penrose asked if there is a minimum lot size. Ms. Chioros stated there is no size requirement.

Ms. Stodghill closed the public hearing.

Ms. Fox made a motion to recommend adoption of zoning text amendment ZT-2021-0004 to City Council. The motion was seconded by Mr. Jones.

Ms. Stodghill stated there was a lot of discussion in the Regulations Committee meetings and she, personally, has concerns about truck stops showing up on some of our key interchanges. She stated she is fine with the rest of the amendment changes. Ms. Fox stated a truck stop will still require a conditional use permit. Ms. Stodghill stated she understands the process but is not comfortable opening it up to being a possibility. Mr. Williams stated he understands Ms. Stodghill's concerns, but he knows there are people that literally use Terminal Avenue as a truck stop and there are always trucks parked along the road, just sitting there. Ms. Stodghill stated a truck stop allows truck parking and fuel stations. Mr. Williams stated we can still have some say if it is proposed as a conditional use, but having a place where truckers can park their cabs in a nice orderly way, and not along our streets and roadways, would not be a negative. Ms. Fox stated a truck stop is nothing more than a gas station on steroids. Mr. Shook stated locating them in M2 areas will keep them from being along our heavy commercial thoroughfares. Mr. Williams stated there are areas where, in theory, they can literally be developed close to a neighborhood if someone wanted to try to do something like that. He stated that is one of his concerns and we should guard against. Mr. Williams stated we still need to be judicious about locations. Ms. Stodghill stated she can agree with all of that.

Vote on Roll Call:

For: Williams, Fox, Grabowski, Jones, Shook
Against: Stodghill
Abstention: None

The City Planning Commission voted 5:1 to recommend adoption of zoning text amendment ZT-2021-0004 to City Council.

- (d) **ZT-2021-0005, CITY OF NEWPORT NEWS** Requests an amendment to Chapter 45 Zoning Ordinance to amend and clarify language in several articles regarding the application processes for conditional use permits (Sections 45-2703, 45-2704 & 45-2709), variances (Section 45-3203), special exceptions (Sections 45-3204, 45-3205.1, 45-3208 & 45-3209) and change of regulations (Sections 45-3402, 45-3404, 45-3404.1, 45-3406 & 45-3408).

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

Mr. Williams asked if “all fees owed to the city” is any outstanding fee. Ms. Chioros stated it lists the fees, such as stormwater management fees or other charges that could potentially be a lien, such as when a property has been cited for not keeping their grass cut and the city mows their property and bills the owner. She stated before we process an application, we will make sure all of those fees have been paid. Mr. Williams asked who the responsible party is. Ms. Chioros stated the property owner(s). Mr. Williams asked if outstanding parking tickets would be an example. Ms. Chioros stated no, it is tied to the real estate. Ms. Spratley stated the Virginia Code allows us and specifies which fees we can accept with an application, contingent on payment of those fees.

Ms. Stodghill opened and closed the public hearing.

Ms. Fox made a motion to recommend adoption of zoning text amendment ZT-2021-0005 to City Council. The motion was seconded by Mr. Shook.

Vote on Roll Call:

For: Fox, Grabowski, Jones, Shook, Williams, Stodghill

Against: None

Abstention: None

The City Planning Commission voted unanimously (6:0) to recommend adoption of zoning text amendment ZT-2021-0005 to City Council.

G. Executive Secretary Report

Ms. McAllister stated on November 23, 2021, City Council approved the conditional use permit for 113 Main Street, which was an adaptive reuse of a commercial structure as a single-family home.

Ms. McAllister stated the rezoning for IndieDwell, located at 2200 Terminal Avenue, will be heard on December 14, 2021. She stated there were some issues with title.

Ms. McAllister stated we have no cases for the December 15, 2021 Planning Commission public hearing. Ms. Fox made a motion to cancel the December 15, 2021 meeting. The

motion was seconded by Mr. Jones. The Planning Commission voted by acclamation. Ms. McAllister stated the next Planning Commission public hearing will be on January 19, 2022.

Ms. McAllister stated we will have some work sessions in 2022, and one of them will be the Lee Hall Area Plan.

Ms. McAllister wished everyone a happy holiday season.

H. New Business

Mr. Williams stated the Carter Funeral Home groundbreaking will be on December 8, 2021.

Ms. Stodghill wished everyone a happy holiday.

J. Adjourn

There being no further business, the meeting adjourned at 2:57 P.M.



Recording Secretary



Executive Secretary

ELITE AUTO BODY, INC.

529 J Clyde Morris Blvd.
Newport News, VA

CU-2021-0009

City of Newport News Planning Commission Meeting
December 1, 2021

KAUFMAN & CANOLES
attorneys at law



kaufCAN.com

Project Team

- Richman Property Holdings LLC – Owner
- Haras921B LLC – Purchaser (Elite Auto Body)
- Hoggard-Eure Associates, P.C. – Engineering
- Kaufman & Canoles, P.C. – Legal

KAUFMAN & CANOLES
attorneys at law



kaufCAN.com

Project Location



KAUFMAN & CANOLES
attorneys at law



Hoggard-Eure
Associates, P.C.

kaufCAN.com

Project Location



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attorneys at law



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Project Location



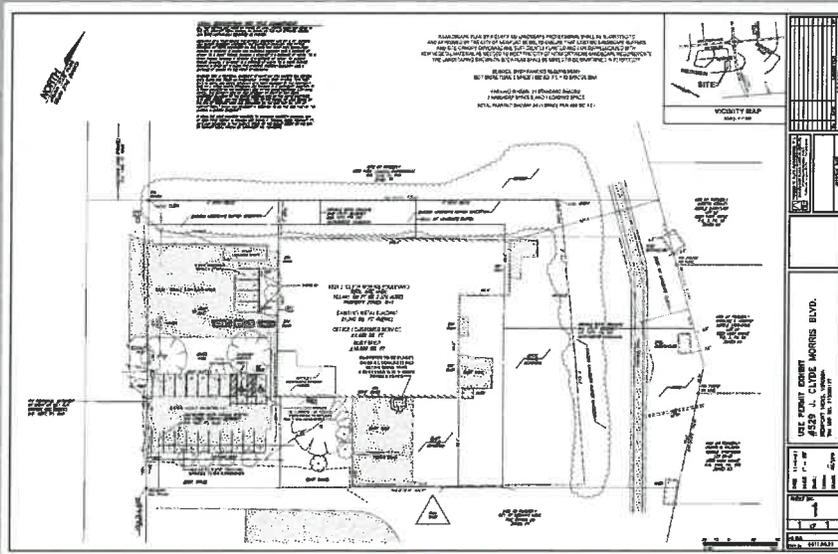
KAUFMAN & CANOLES
attorneys at law



Hoggard-Eure Associates

kaufCAN.com

Master Plan



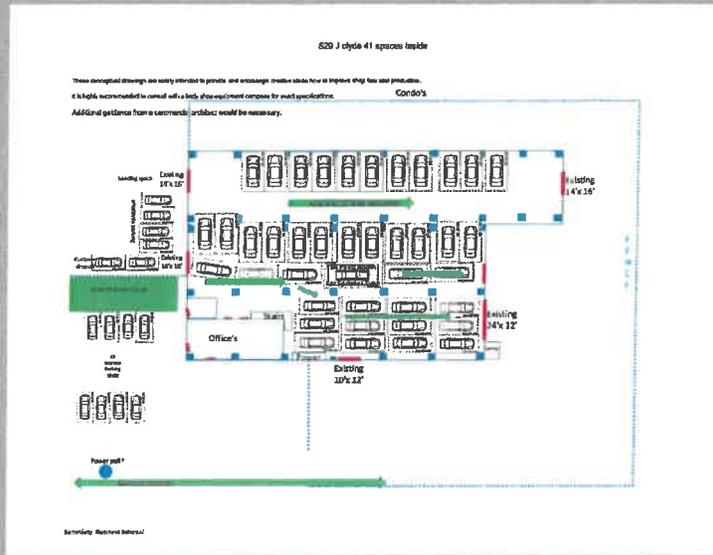
KAUFMAN & CANOLES
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Hoggard-Eure Associates

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Interior Layout Plan



KAUFMAN & CANOLES
attorneys at law



Hoggard-Eure Associates, PC

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Sign Rendering



KAUFMAN & CANOLES
attorneys at law



Hoggard-Eure Associates, PC

kaufCAN.com

Project Benefits

- Adaptive reuse of an existing vacant building
- Transition area with limited visibility from Jefferson and J. Clyde
- Attractive, low impact use with good employment
- Consistent with Comprehensive Plan

KAUFMAN & CANOLES
attorneys at law



Hoggard-Eure
Associates

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