

MINUTES OF THE PLANNING COMMISSION MEETING
Wednesday, January 20, 2016
City Council Chambers
2400 Washington Avenue
Newport News, Virginia

PRESENT: Michael F. Carpenter, Chairman; Mark Mulvaney, Vice-Chairman; Sharyn L. Fox; Robert B. Jones; Lorraine P. Austin; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila W. McAllister, Director of Planning; Claudia Cotton, Manager of Current Planning; Britta S. Ayers, Manager of Comprehensive Planning; Saul Gleiser, Senior Planner; Flora Chioros, Planning Coordinator; David Watson, Planner; Johnnie Davis, Planner; Lynn Spratley, Deputy City Attorney; Christine Mignogna, Zoning Administrator) **Guest:** Willard Maxwell, Jr.

ABSENT: Daniel L. Simmons, Jr.

CALL TO ORDER

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

INVOCATION

Mr. Groce presented the invocation.

MINUTES

The minutes of the January 6, 2016 public hearing were presented. Mr. Carpenter requested a modification on Page 8 to read: "Mr. Carpenter asked Ms. Ayers to provide an overview of the comprehensive plan and to explain its importance."

PUBLIC MEETING

SPECIAL EXCEPTION

S. E. 2881 Dunamis Christian Center Trustees & SLCCFCO Requests a special exception to reduce the rear yard transitional buffer area from thirty (30) feet to zero (0) to enable the construction of a retail development on parcels totaling 0.84 acres located at 2000, 2006 and 2010 27th Street and zoned C1 Retail Commercial.

David Watson, Planner, presented the staff report (copy attached to record minutes).

Ms. Willis stated that, because the fence goes along the full length of the back of the property, she is concerned about pedestrians using the adjacent sidewalk and having

sight lines for people driving in their vehicles to see the people coming and going. Mr. Watson stated this was a consideration during site plan review. He stated a 'sight-view-triangle' is an important criteria in site plan review and the fence was required to be moved back to ensure there is plenty of sight-line for safe use of the entrances.

Mr. Mulvaney asked why is there a statement about not reducing the number of trees in a transitional buffer that does not exist. Mr. Watson stated there are no trees in the transitional buffer and therefore, the number of trees cannot be reduced.

Mr. Mulvaney asked if the area between the fence and the property line will have some type of landscaping. Mr. Watson stated the applicant has proposed placing planters along the fence, which will be set five (5) feet within the property because of the utility easement. Mr. Mulvaney asked how the area between the fence and the property line will be maintained. Mr. Watson stated that area will be paved, and will need to remain clear at all times because of the utility easement. Ms. Cotton stated there will be a buffer that borders Hickory Avenue, which will not be reduced in this proposal.

Ms. Fox asked where the dumpster will be located and how it will be screened. Mr. Watson stated the dumpster area will be setup against the side of the building, with fences on either side of the dumpster. He stated that, with the privacy fence along the rear of the property, the rear view of the dumpster will be covered. Ms. Fox asked if the rear fence will add to the ambiance of the property by screening the dumpster. Mr. Watson stated yes. He stated the fence around the dumpster also will be gated.

Ms. Fox stated the whole area has a lot of different types of zoning, from residential to commercial from one house to the next. Ms. McAllister stated the entire area was zoned commercial at one time and during the comprehensive rezoning, what was commercial was identified as commercial and what was residential as residential.

Ms. Austin asked how will a dump truck approach the dumpster in the rear of the building. Mr. Watson stated he is not sure how the ingress and egress will work because it will depend on what kind of dumpster the applicant decides to use. He stated the traditional large steel dumpster may not be applicable here, and many businesses use a smaller container which will allow greater access. Mr. Watson stated that in urban settings on tighter sites you do not see the larger dumpsters.

Ms. Austin asked how a truck will be able to access the porch area in the rear for delivery. Mr. Watson stated an appropriate sized truck could either back-in or drive through. He stated a canopy will provide shelter when the delivery truck is being offloaded.

Ms. Austin asked if there will be lights for the parking areas. Mr. Watson stated a lighting plan is required under site plan review. He stated the plan calls for a certain amount of lighting or foot candles, and lighting spillover is also taken into consideration. Mr. Watson stated there will be lighting fixtures along the back of the building directed straight down so it illuminates that area of the building and does not go into the

neighbor's yard. Ms. Austin stated she would like to add a condition on the lighting. She stated "All lighting on the Property shall be consistent with those standards recommended by the Illumination Engineering Society of North America (IESNA.) A photometric lighting plan indicating the number and type of lighting shall be submitted for review and approval by the Director of Engineering. Lighting shall be installed and operated as shown on the approved plan. Lighting shall be directed inward and downward on the Property so that such lighting does not spillover onto adjacent properties."

Ms. Austin stated we have approved gas stations and fast food restaurants specifying that there would not be outdoor speakers. She stated she would like to add that as another condition. Ms. Austin stated "The playing of music on any outdoor speakers shall be prohibited."

Mr. Carpenter opened the public hearing.

Mr. Joe S. Frank, 2 Madison Circle, representative for the applicant, spoke in favor of the application. He thanked Planning staff for their assistance. Mr. Frank gave a brief presentation of the application.

Mr. Frank stated he is concerned about the reference in detail from Ms. Austin's proposed condition about lighting. He asked for more general language to have the lighting not reflect on adjoining property, so staff could enforce it during site plan review. Ms. Austin stated "Lighting shall be directed inward and downward and not spillover onto adjacent properties." Mr. Frank thanked Ms. Austin.

Ms. Austin asked where will the employees park. Mr. Frank stated the overlay district allows street parking, but there will be parking spaces available on the side of the building, which should be adequate for both employees and customers.

Mr. Richard A. Tabb, Jr., 313 Pear Avenue, is an adjacent neighbor to the applicant. Mr. Tabb stated he is concerned about access in the right-of-way for the sewer lines and other utilities. He stated if the applicant installs a fence, there will not be another way to get behind the existing building to access the alley that contains the utilities. Mr. Tabb stated he upgraded his sewer lines, but sometimes he needs to call the city to come out and clean them because the adjacent sewer lines are old. Mr. Watson stated that physically, nothing is going to change. He stated that, as a new building, it will occupy the same space as the old one. Mr. Watson stated the fence that will be installed is designed to be portable, so it can be removed if someone needs to access the alley to do any major work. He stated any access required to address the utility lines will be no different than it is today because there is nothing being built back there, except for the fence, which is 5 feet from the utility pipes. Mr. Watson stated any minor repairs can be accessed just walking back there, and if there were major repairs that need to be addressed, the fence can be removed. Mr. Carpenter asked if this application needs to go back to site plan review. Mr. Watson stated the plan was reviewed as a pre-design by the Site Plan Committee. He stated the Department of

Engineering is satisfied with the resolution of using a portable fence. Mr. Carpenter stated Mr. Tabb may call the Engineering Department for further information.

Mr. Carpenter closed the public hearing.

Ms. Austin made a motion to recommend approval of special exception S.E. 2881 to the Board of Zoning Appeals, with additional conditions "Lighting shall be directed inward and downward and not spillover onto adjacent properties" and "The playing of music on any outdoor speakers shall be prohibited." The motion was seconded by Ms. Willis.

Vote on Roll Call

For: Fox, Jones, Mulvaney, Austin, Willis, Groce, Carpenter

Against: None

Abstention: None

The Planning Commission voted unanimously (7:0) to recommend approval of S.E. 2881 to the Board of Zoning Appeals, with conditions.

EXECUTIVE SECRETARY REPORT

Ms. McAllister stated that on January 12, 2016, City Council approved the conditional use permit for a gasoline supply station on Warwick Boulevard at the old Bowditch Ford site.

Ms. McAllister stated the Planning Commission's February 3, 2016 public hearing will include a special exception for a residential kennel at 707 Godfrey Road and a text amendment to add Police K9 training facility to the zoning ordinance.

Ms. McAllister welcomed Ms. Sharyn Fox and Pastor Willard Maxwell, Jr. to the Planning Commission.

COMMITTEE REPORTS

Ms. Britta Ayers, Manager of Comprehensive Planning, gave the Planning Commission an update on the comprehensive plan. She stated that the Comprehensive Plan Citizen Advisory Committee (CPCAC) met last Thursday, January 14, 2016, at Downing-Gross Cultural Arts Center to continue the discussion of the draft Existing Conditions Summary. Ms. Ayers stated the committee was able to complete two additional sections, specifically looking at cultural and natural resources, as well as historic preservation and public services. She stated that the next meeting is scheduled for Thursday, January 28, 2016 at Downing-Gross Cultural Arts Center from 4:00 to 6:00 P.M. to finish the last two sections. Ms. Ayers stated the committee will look at existing conditions related to housing and transportation and the final section which talks about neighborhoods. She stated if the group finishes the discussions, the committee will take a hiatus to allow Planning staff to continue writing the document and present a draft document that will include revisions provided by the CPCAC. Ms. Ayers stated if the

committee does not finish the last two sections, there will be another meeting on Thursday, February 11, 2016 at the Denbigh Community Center.

Mr. Carpenter noted that we had the largest turnout of Planning Commissioners at the last CPCAC meeting. He thought it was because Ms. Ayers did a great job at the previous Planning Commission meeting explaining the importance of the comprehensive plan.

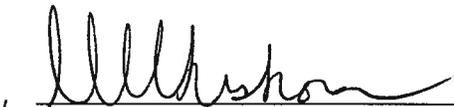
NEW BUSINESS

Ms. McAllister stated there is a new position in the Planning Department entitled Planning Coordinator. She stated Ms. Flora Chioros has been chosen for the position. Ms. McAllister stated in this position, Ms. Chioros will serve as a liaison between the city and businesses and developers who are looking to do business in Newport News. She stated Ms. Chioros will help them through the development review process.

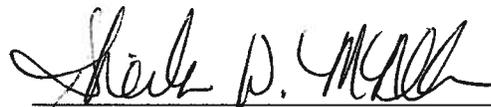
Mr. Carpenter welcomed Ms. Fox back to the Planning Commission. He stated Ms. Fox previously served two terms as a Planning Commissioner, with two years as Chairwoman. Ms. Fox stated she is thrilled to be back.

Mr. Carpenter welcomed Pastor Willard Maxwell, Jr. to the Planning Commission. Mr. Maxwell is expected to complete his appointment and begin serving at the next Planning Commission public hearing on February 3, 2016.

There being no further business, the meeting adjourned at 4:37 P.M.



Recording Secretary



Executive Secretary