

Minutes

City Planning Commission Meeting
City Council Chambers, 2400 Washington Ave
Wednesday, March 16, 2022, 2:00 PM

City of
NEWPORT NEWS
Virginia



MEMBERS PRESENT: Sharyn Fox, Chairperson; LaMonte Williams, Vice-Chairperson; Randie T. Dyess, Jr.; Phillip Jones; Willard G. Maxwell, Jr.; Philip Shook; Katie Stodghill; and Michael Taylor

MEMBERS ABSENT: Timothy Grabowski

OTHERS PRESENT: Sheila W. McAllister, Planning Director; Flora D. Chioros, Assistant Director – Current Planning; Katie Chamberlain, Planning Coordinator; Sharon Baum, Landscape Planner; Saul Gleiser, Senior Planner; Carolyn Poissant, Senior Planner; Kenar Johnson, Planner I; Lynn Spratley, Senior Deputy City Attorney; Nyoka Hall, Zoning Administrator

A. Call to Order

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

B. Planning Commission Creed and Approval of the Agenda

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

C. Invocation

The invocation was rendered by Dr. Maxwell.

D. Pledge of Allegiance

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

E. Minutes

The minutes of the March 2, 2022 public meeting were approved as presented.

F. Public Meeting

SPECIAL EXCEPTION

- (a) **SE-2022-0002, DWAYNE MICHAEL HOLLAND** Requests a special exception to allow a kennel with no more than six (6) domesticated animals at 716 Whisperwood Drive. The

parcel contains 0.28 acres zoned R3 Single-Family Dwelling. The Parcel Number is 117.00.04.45.

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

Mr. Williams asked to clarify that Planning Commission is making a recommendation to the Board of Zoning Appeals. Ms. Poissant stated yes.

Ms. Stodghill asked if the applicant's home occupation permit is for a canine consulting service. Ms. Poissant stated yes. Ms. Stodghill asked what is the duration of time for the permit. Ms. Hall stated once a home occupation permit is granted it does not need to be renewed. Ms. Stodghill asked if home occupation permits are enforced. Ms. Hall stated when a permit is initially issued with conditions it assumes that the applicant follows those conditions. She stated if we find that those conditions are not being followed, we will cite them.

Ms. Fox asked if the home occupation permit is tied to the special exception. Ms. Poissant stated no. Ms. Stodghill asked if the special exception is tied to the property. Ms. Poissant stated as conditioned the special exception is tied to the current property owner at this property.

Ms. Fox opened the public hearing.

Mr. Dwayne Michael Holland, Applicant, 716 Whisperwood Drive, introduced his service dog Theo. He stated Theo is the youngest of his pack, a one year old French Bulldog. Mr. Holland stated he suffered an injury in 2004. He stated that injury left his right hand paralyzed and he was unable to return to work. Mr. Holland stated he knew he had to supplement his income in some way, so with his 25 years of experience working with canines, 10 years of professional canine consulting, a lifetime of personal ownership, as well as a degree in animal behavioral science, he figured a canine consulting firm would be the best business for him. He stated he has been in the Hampton Roads and Newport News area for the past 11 years. Mr. Holland stated his first initial home occupation permit was issued in 2014. He stated he has been consulting with local residents in regards to behavioral issues that they experience with their pets. Mr. Holland stated we assist them in helping to correct and modify behaviors. He stated his animals act as training assistants because they have a level of training that is consistent with what he calls a "well rounded pet." Mr. Holland stated Theo is his personal service animal, along with two others whose primary function is to carry up to 40 lbs. He stated Theo's particular function is to pick up meticulous items in cases of necessity. Mr. Holland stated he has been a responsible pet owner since his inception into the canine community and is well respected by many local businesses. He stated his firm works closely with the Peninsula Regional Animal Shelter as the preferred canine behaviorist working with many adopted pets that still carry behavioral baggage. Mr. Holland stated we offer those pet owners an additional discount when

they visit with us. He stated this special exception request is to benefit his existing animals, to be able to retain ownership of them and for them to continue to assist him personally and publicly.

Mr. Taylor asked if the dog that took him over the four pet limit is one of his personal dogs. Mr. Holland stated that particular animal is a ten year old Pug who belonged to his mother who passed away in October 2021. He stated we took possession of him and have been actively seeking new ownership for him but he is on the end of his life cycle.

Mr. Taylor stated he lives in Mr. Holland's neighborhood and he would not have known that Mr. Holland had a kennel because of how well he takes care of his animals. Mr. Holland stated he believes they reflect the work that he does, he would like to think that his pets demonstrate what it is to be not only a responsible pet owner but responsible pack members and pets.

Ms. Stodghill asked how often Mr. Holland keeps the dogs. Mr. Holland stated his personal animals stay with him. He stated client pets do not stay with him at all. Mr. Holland stated we do in-home evaluations and conduct private sessions at the client's home.

Ms. Stodghill asked how long Mr. Holland trains the pets. Mr. Holland stated they come to him for consultation only. He stated client pets never stay on his property.

Ms. Fox closed the public hearing.

Mr. Taylor made a motion to recommend approval of special exception SE-2022-0002 to the Board of Zoning Appeals with conditions. The motion was seconded by Dr. Maxwell.

Vote on Roll Call:

For: Maxwell, Jones, Shook, Williams, Taylor, Dyess, Stodghill, Fox

Against: None

Abstention: None

The City Planning Commission voted unanimously (8:0) to recommend approval of special exception SE-2022-0002 to the Board of Zoning Appeals with conditions.

G. Executive Secretary Report

Ms. McAllister stated on March 15, 2022, the Board of Zoning Appeals approved the special exception request for the construction of a single-family dwelling on a lot with less than 50 feet of frontage located at 1154 37th Street.

Ms. McAllister stated on April 6, 2022, the Planning Commission will hear three (3) zoning text amendments for short-term rentals. Ms. McAllister stated they have come to the Planning Commission before and went to City Council. She stated they were remanded by City Council and the Regulations Committee made some amendments. Ms. McAllister stated those amendments are coming back to the Planning Commission.

Ms. McAllister stated on March 22, 2022, the City Council will vote on the redistricting maps.

H. Committee Reports

Mr. Taylor stated the Regulations Committee met today and discussed outside storage and family child care.

I. Adjourn

There being no further business, the meeting adjourned at 2:20 P.M.



Recording Secretary



Executive Secretary