

MINUTES OF THE PLANNING COMMISSION WORK SESSION
Wednesday, March 21, 2018
10th Floor City Council Conference Room
2400 Washington Avenue
Newport News, Virginia

PRESENT: Daniel L. Simmons, Jr., Vice-Chairman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Zachary E. Wittkamp; Michael F. Carpenter; Katie Stodghill; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila McAllister, Director of Planning; Britta Ayers, Manager of Comprehensive Planning; Claudia Cotton, Manager of Current Planning; Flora Chioros, Planning Coordinator; Saul Gleiser, Senior Planner; Brian Pierce, Planner II, Johnnie Davis, Planner; Jonathan Herman, Landscape Planner; Lynn Spratley, Deputy City Attorney; Christine Mignogna, Zoning Administrator)

ABSENT: Mark W. Mulvaney, Chairman

Mr. Simmons opened the work session at 2:00 P.M.

Mr. Simmons introduced the first item on the agenda: Introduction to the Fort Eustis Joint Land Use Study (JLUS), to be presented by Ms. Britta Ayers, Manager of Comprehensive Planning.

Ms. Ayers gave a power point presentation (attached to record minutes).

Ms. Ayers stated we have been given a model overlay district related to military installations. She stated she and Ms. Cotton have looked it over and feel that the model provided is too extensive for what we need here, so we will be working on that to modify it to meet our needs for Newport News. Ms. Ayers stated for the most part, our zoning ordinance and our comprehensive plan do what they need to support the military mission, but we want to strengthen the language in a couple of areas. She stated that is one of the things that will be explored once the JLUS is approved by City Council.

Ms. Fox asked if the Planning Commission has any authority to create the zoning ordinances on the base. Ms. Ayers stated no. Ms. Stodghill asked if it is a zoning ordinance for Newport News to be approved by City Council. Ms. Ayers stated yes, it is for Newport News specifically related to the properties that abut the military installation boundaries. She stated that the overlay will address where the installation has its boundaries and where there is a residential neighborhood adjacent to it. Ms. Ayers stated, for example, some people have built their accessory structures onto the fence, and the fence actually belongs to the installation. She stated if the installation has to go in and do something and they remove the fence, then they have to deal with some of these private properties that are now attached to their property. Ms. Ayers stated it is things like that, making the public aware when they purchase property, where their actual property line is versus the installation's property line. Ms. Fox stated what we are looking at is ordinances and buffers around the site itself. Ms. Ayers stated that is

correct, and ways to inform the public about what the restrictions are and where they are located. She stated we do not want the public to take a boat into the installation area and end up on the firing range during a live training exercise.

Ms. Ayers stated we are on schedule for a City Council work session on April 10, 2018 and a public hearing on April 24, 2018. She stated once City Council approves the JLUS, we will work on transitioning our technical working group into an implementation team and look for opportunities to apply for grants that will help us implement some of the recommendations that will require money, such as the study's purchase of property to relocate the front gate and potentially the education and informational activities that are proposed.

Ms. Willis asked who purchases the front gate property and who owns it. Ms. Ayers stated the front gate is on the military installation. There are 13 properties adjacent to it off Dozier Road, one of which is owned by the city of Newport News. The City would not be selling the property but looking at doing a long-term easement across it. She stated the other properties are privately owned and several of the owners have already expressed interest in selling. Mr. Carpenter asked if the military could buy that property. Ms. Ayers stated potentially; however, it would be a joint effort because of the time it takes the military to go through its chain of command and get congress to approve money to purchase land. She stated that could take many years. Ms. Ayers stated typically what happens in situations like this is that the locality would work with the installation to purchase it on their behalf; it could be a combination of local government, state government and some federal funds coming together to purchase the property and eventually it would either be sold to the installation to recoup the money or some sort of agreement would be established. She stated that is something that is still being explored, but the military does not have the ability to go out and just purchase property. Ms. Fox stated they do not have powers of condemnation. Ms. Ayers stated no. She stated we are not looking to condemn the properties, which is why we are talking about purchasing them because initially the concept to relocate the main gate would have impacted Dozier Road and would have made access to that property pretty much impossible. She stated that would have been considered a taking or condemnation. Ms. Ayers stated that is why we are proposing that all of those properties on Dozier Road be acquired.

Ms. Fox asked how much residential is actually on the post. Ms. Ayers stated there is military family housing.

Ms. Fox stated she has not been on the post in years. Ms. Ayers stated if you have not been on the post, they do offer tours. She stated we had the opportunity as part of the JLUS process to tour the installation. Ms. Ayers stated you can contact the Public Affairs office and they are always happy to do that for residents. She stated there are a couple of areas you cannot get to, but for the most part they will show you the installation, go through the housing areas, show you their commercial center, air field and take you to the training areas so you can really see how they utilize the waterways.

Ms. Fox asked if one of their thoughts is to invite the public in and take advantage of amenities such as the golf course. Ms. Ayers stated she does not know about the golf course in particular, but they have talked about some of the different resources, such as in the past, people have used the pool facility. Mr. Carpenter stated the regional swim meets are held at the installation's pool facility. Ms. Ayers stated in the summertime they have concerts and want the public to be able to attend those concerts. Ms. Ayers stated they are right adjacent to Skiffe's Creek, which is a beautiful area and they want the public to come, but right now getting on the installation is a real hassle and takes some time. She stated they want to see what they can do to make those things a little easier.

Ms. Stodghill asked about the Jones House. Ms. Ayers stated it is still there. Ms. Stodghill asked if there is any way for the public to visit the Jones House. Ms. Ayers stated it is one of the things with cultural resources that they are going to look at to see if there is some sort of agreement or partnership that would allow for the public to access those places two or three times a year as part of an overall program since Newport News has a lot of things in the Lee Hall area. She stated they are very agreeable to all of the suggestions that came from the community and a number of those suggestions were made, so there are things they are considering long-term. Ms. Ayers stated there are obviously some areas of the installation that will never be open to the public.

Ms. Fox asked when they are doing their training in the water and you are in your boat, what do they do. Ms. Ayers stated they stop their training if you are anywhere too close. Ms. Fox asked if they can arrest you. Ms. Ayers stated if you are out in James River in the public waterway, then no, they have to stop training. She stated they have applied to the Army Corps of Engineers to change that situation, not to limit private access but to have a better way to manage both of them happening at the same time and provide a buffer between the two. Mr. Simmons stated there is a lot of space on the water when you travel up that way by boat. Ms. Fox asked if that is near the abandoned ships. Mr. Simmons stated the ships are further up. Ms. Ayers stated the ghost fleet is actually part of the training area. Mr. Carpenter stated before you get to the ships, if you hang a right you are going to head up Skiffe's Creek and they are going to come tell you that you do not need to be up there. Ms. Fox asked if Skiffe's Creek is restricted. Ms. Ayers stated no, the public can get in there but they do not want you there when they are training. She stated additionally, you are not supposed to pull up to the port on the installation and step off. Ms. Ayers stated there are signs posted but it does happen, and those are the types of things we want to educate the public on what is off limits and what is not, and also to formalize what the process is when these types of things happen, such as who is responsible for dealing with it and how we can avoid it in the future.

Mr. Carpenter asked how many acres are there. Ms. Ayers stated 7,933 acres. Mr. Carpenter asked how much of that land is actually used. Ms. Ayers stated she does not have the information. Mr. Carpenter stated we have this need in Newport News of

greater access to the water. He asked if that is a potential on the installation or could it be declared surplus. He stated we could give our citizens better access and build waterfront housing on the James River, Warwick River and Skiffe's Creek. Ms. Ayers stated that would be incompatible with the military operation and training. She stated you do not want it on the installation. Ms. Ayers stated a lot of the property that is close to the James River is actually underwater or regularly underwater, or soon to be underwater. Ms. Ayers stated the cantonment area, which is the installation proper where all of the housing, barracks and headquarters are, is pretty well developed, like a little town.

Mr. Groce asked who owns the BASF property (in James City County). Ms. Ayers stated it has a private owner; part of it is a conservation area.

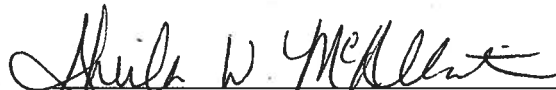
Mr. Wittkamp asked how frequently does the JLUS take place. He asked if it is reviewed every 10 years. Ms. Ayers stated this is the first one for Fort Eustis and they recommend that every 5 years the implementation team take a look at it to see if there is any need for revisions. Mr. Carpenter stated that by doing this kind of study, if the BRAC commission comes back we can say we have done our study and are working with Fort Eustis. Mr. Wittkamp asked if the funding for the study is split between the localities and the installation. Ms. Ayers stated the city of Newport News and city of Hampton were sponsors for the update to the JLUS, and we had to do a 5% match. She stated for Newport News it was labor, time and services, and Hampton wrote a check for their portion of it. Ms. Ayers stated for additional funding for implementation, we can apply for a grant from the OEA (Office of Economic Adjustment) for various things that are recommended.

Mr. Simmons thanked Ms. Ayers for her presentation.

Ms. Cotton stated, as a reminder, Planning Commission cancelled the April 4, 2018 public hearing. She stated we have one case for the April 18, 2018 public meeting. Ms. Cotton stated it is a special exception for a reduction of buffer for a property in the Seafood Industrial Park.

There being no further business, the meeting adjourned at 2:52 P.M.


Recording Secretary


Executive Secretary