

Minutes

City Planning Commission Public Hearing
City Council Chambers, 2400 Washington Ave
Wednesday, April 5, 2023, 2:00 PM

City of
NEWPORT NEWS
Virginia



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

MEMBERS ABSENT: Timothy Grabowski and Willard G. Maxwell, Jr.

OTHERS PRESENT: Sheila W. McAllister, Planning Director; Flora D. Chioros, Assistant Director – Current Planning; Ed Salem, Assistant Director – Comprehensive Planning; Saul Gleiser, Senior Planner; Carolyn Poissant, Senior Planner; Celeste Lodiong, Planner; Thelma Lipscomb, Administrative Technician; Lynn Spratley, Senior Deputy City Attorney; Melanie Stroud, Zoning Coordinator

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. 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. Mr. Williams 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. Shook led the Planning Commission in the Pledge of Allegiance.

E. Minutes

The minutes of the January 18, 2023 public hearing were approved.

F. Public Hearing

CONDITIONAL USE PERMIT

- (a) **CU-2022-0011, CMH HOMES, INC.** Requests a conditional use permit to construct and operate an automobile body and paint shop on a 2.30 acre parcel, located at 13130

Jefferson Avenue, zoned M1 Light Industrial. The *One City, One Future 2040 Comprehensive Plan* recommends industrial uses for the property. The Parcel No. is 059.00.03.02.

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

Mr. Taylor asked what is the length of time for vehicle storage. Ms. Poissant stated there is no specific time limit but the vehicles need to have current tags. Ms. Chioros stated that, according to the business plan, typical turnaround time is not more than two (2) to four (4) weeks.

Mr. Williams asked if it was possible for the business to sell cars or parts as part of their business operation. Ms. Poissant stated no, that is a different type of use.

Mr. Shook stated he is concerned about the amount of parking and stormwater runoff. He stated there is a lot of land that could be more permeable than what is shown as the paved limits in the conceptual site plan, especially the large drive aisles. Mr. Shook asked if there was anything that could be done about that. Ms. Chioros stated that is something we can take under advisement when the project goes to site plan review.

Ms. Stodghill asked if the applicant will have both a monument sign and a building sign. Ms. Poissant stated yes. Ms. Stodghill asked if the sign on the building would be the same as proposed in the staff report. Ms. Chioros stated building signage is based on the linear feet of the building, as defined in the sign ordinance. She stated she does not know if the proposed signage shown meets that requirement, but our sign ordinance would regulate that size.

Mr. Williams asked if there are any plans for the development of any other vacant property surrounding the site in planning right now. Ms. McAllister stated there will be a use request across the street coming to the Planning Commission in the future.

Mr. Taylor asked if the applicant will be removing the existing lighting on the property. Ms. Poissant stated she would defer to the applicant's representative.

Ms. Fox opened the public hearing.

Mr. Benming Zhang, 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. Williams asked if this store is a relocation of an existing store. Mr. Zhang stated no.

Mr. Taylor asked if the applicant plans to modify the existing lighting on the site. Mr. Zhang stated the lighting will have to comply with the city ordinance.

Mr. Bret Flory, Architect for the Applicant, 1255 W 15th Street, Suite 125, Plano, Texas stated we are going to reuse some of the site lighting and reconfigure it to work with our layout. He stated we will run a site photometric plan that will have to meet the city's lighting ordinance and that will be part of our site plan submittal.

Ms. Fox closed the public hearing.

Mr. Shook made a motion to recommend approval of conditional use permit CU-2022-0011 with conditions to City Council. The motion was seconded by Mr. Taylor.

Vote on Roll Call:

For: Dyess, Shook, Williams, Taylor, Stodghill, Fox
Against: None
Abstention: None

The City Planning Commission voted unanimously (6:0) to recommend approval of conditional use permit CU-2022-0011 with conditions to City Council.

SPECIAL EXCEPTION

- (b) **SE-2023-0001, CMH HOMES, INC.** Requests a special exception to increase the maximum required number of parking spaces permitted from 30 to 58 for the operation of an automobile body and paint shop on a 2.30 acre parcel located at 13130 Jefferson Avenue, zoned M1 Light Industrial. The Parcel No. is 059.00.03.02.

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

Mr. Taylor asked if, in regard to 50 square feet of signage, that is implied for both the monument sign and building sign as a whole. Ms. Poissant stated no, the 50 square feet only pertains to the monument sign, which does not include the footing. She stated a building sign follows the requirements of the sign ordinance which is related to the linear feet of the building.

Ms. Fox asked if a tree survey is part of the buffered landscape areas. Ms. Poissant stated yes, there are quite a few mature trees, especially along the wetland buffer. She stated we wanted to make sure a tree survey is done and all of that area is preserved.

Mr. Dyess asked, in consideration for vehicles that may be stored on-site for two (2) to four (4) weeks, does the applicant plan on putting any mitigation actions in place to reduce any environmental concerns (i.e. oil leaks). Ms. Poissant stated the Department of Engineering - Stormwater Division commented that there will likely be special provisions for the filtration of stormwater. She stated the applicant cannot have inoperable vehicles sitting on-site. Ms. Chioros stated an oil/water separator will need to be included in their system and will be dealt with at site plan review.

Ms. Stodghill asked if the detention pond is sized for the pavement shown on the site plan. Ms. Poissant stated those calculations have not been completed yet. She stated the Department of Engineering did not see any concern with the size in terms of the conceptual plan, but the applicant will have to submit all of their calculations and meet all of the requirements for what they are proposing. Ms. Stodghill asked if the applicant is vacating the bio retention area shown on the site. Ms. Poissant stated she does not believe so. Ms. Stodghill asked if it will stay. Ms. Poissant stated yes. Ms. Chioros stated stormwater runoff is something that is looked at in site plan review and when you increase the imperviousness of the site, you have to deal with both retention quantity and quality on your property.

Mr. Taylor asked if the property south of the site is owned by the applicant. Ms. Poissant stated yes.

Ms. Fox opened the public hearing.

Mr. Benming Zhang, Attorney for the Applicant, 11815 Fountain Way, thanked Planning staff for their assistance. He stated that, in addition to the stormwater and impervious concerns, the applicant maintains a high level of service especially for the safety of its staff that have to deal with the service itself. Mr. Zhang stated their employees are Automotive Service Excellence Certified (ASEC), which means staff are trained to perform safety inspections and removal of fluids, as needed. He stated the waste fluids are contracted for disposal with a specially qualified waste handler. Mr. Zhang stated the site will be outfitted with a special water quality feature to ensure that any contaminants are removed before the stormwater leaves the site.

Mr. Taylor asked if the only fence requirements are what is included on the conceptual site plan. Ms. McAllister stated we do not actually require fences unless you are reducing the transitional buffer area and they are not doing that. She stated if they choose to put up a fence, they can do that. Mr. Taylor asked if the applicant can choose to keep the existing wrought iron fence and keep the site visible to the street. Ms. McAllister stated they can do that, but the likelihood is that they will probably fence in the storage area.

Ms. Stodghill asked if the detention pond will have a structure.

Mr. Bret Flory, Architect for the Applicant, 1255 W 15th Street, Suite 125, Plano, Texas stated the stormwater will be reviewed by the Department of Engineering and the civil engineer will have to submit drainage calculations, and if it needs an outfall structure to meet the city's requirements then the applicant will install one. He stated he does not know if the site will need one because it is not totally designed yet. Mr. Flory stated we are working off of a conceptual drawing. Mr. Taylor stated he understands it is a conceptual drawing but the property owner north of the site will be concerned about where all of the stormwater is going to go. Mr. Flory stated there is a conservation

easement back there that we are straying away from so everything will go into our own detention pond.

Ms. Chioros stated she understands Ms. Stodghill's concern about the detention pond having a debris structure but that has not been determined at this point and Ms. Chioros cannot definitively answer her question. Ms. Stodghill stated there are other ways to do detention than those large structures. She stated they may be more costly, but this is a highly visible site. Ms. Chioros stated she will take the concern to city staff so as they are going through the site plan review process, we can ensure that they look at alternatives for that type of structure.

Ms. Fox closed the public hearing.

Mr. Taylor made a motion to recommend approval of special exception SE-2023-0001 with conditions to the Board of Zoning Appeals. The motion was seconded by Mr. Dyess.

Vote on Roll Call:

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

Against: None

Abstention: None

The City Planning Commission voted unanimously (6:0) to recommend approval of special exception SE-2023-0001 with conditions to the Board of Zoning Appeals.

G. Executive Secretary Report

Ms. McAllister stated on February 14, 2023, City Council approved the rezonings and conditional use permits at Buchanan Drive and Jefferson Avenue for the proposed automobile gasoline supply station in conjunction with a convenience store and restaurant with drive-through service adjacent to residential property. She stated the accompanying special exceptions were approved by the Board of Zoning Appeals on March 21, 2023.

Ms. McAllister stated on April 19, 2023, the Planning Commission will hear two (2) special exceptions for houses being built on lots with less than 50 feet of frontage in the Southeast Community.

Ms. Fox asked if there will be cases heard in May. Ms. McAllister stated yes, a rezoning and a conditional use permit.

Ms. Fox stated once the vacant Planning Commissioner seat is filled, she would like to have a work session to review the Planning Commission bylaws.

Ms. McAllister stated we will also plan a work session to discuss the comprehensive plan updates.

H. Committee Reports

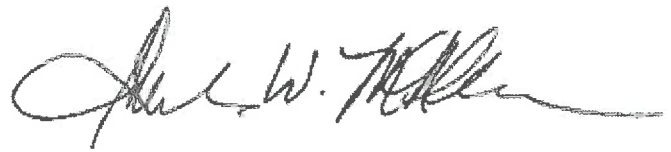
Mr. Taylor stated the Regulations Committee met in March and discussed child care centers and family child care, as well as parking requirements.

I. Adjourn

There being no further business, the meeting adjourned at 2:50 P.M.



Recording Secretary



Executive Secretary

MP CC NEWPORT NEWS VA, LLC CALIBER COLLISION

13130 Jefferson Avenue
Newport News, VA

CU-2022-0011

City of Newport News Planning Commission Meeting
April 5, 2023

KAUFMAN & CANOLES
attorneys at law

CALIBER
COLLISION



Bret
FLORY



kaufCAN.com

Project Team

- CMH Homes, Inc. – Owner
- MP CC Newport News, VA LLC – Purchaser/Developer
- Caliber Collision – Tenant/Operator
- Freeland and Kauffman, Inc. – Engineers / Landscape
- Cross Architect / Bret Flory – Architect
- Kaufman & Canoles, P.C. – Legal

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attorneys at law

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Project Location



KAUFMAN & CANOLES
attorneys at law

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ATTORNEYS AT LAW

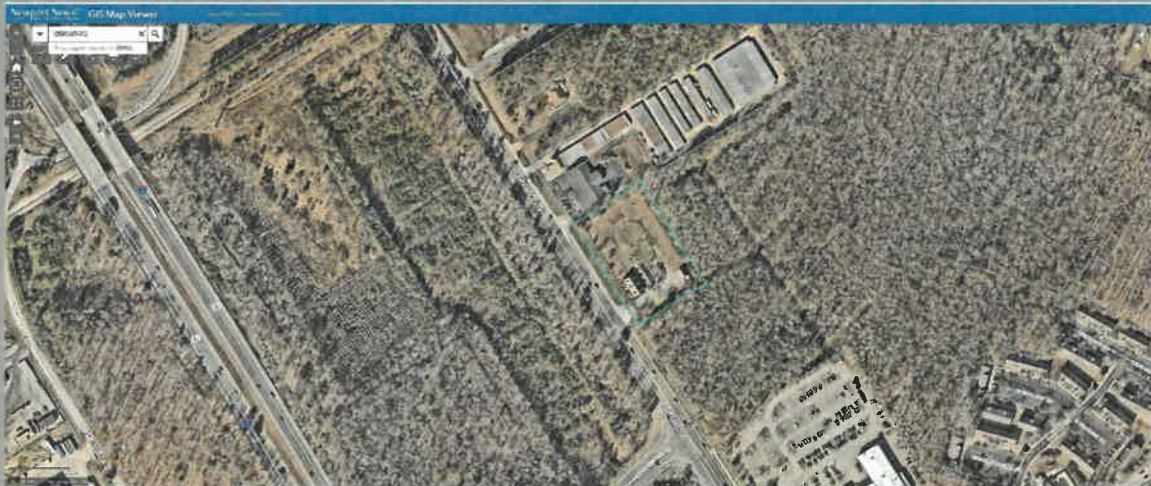


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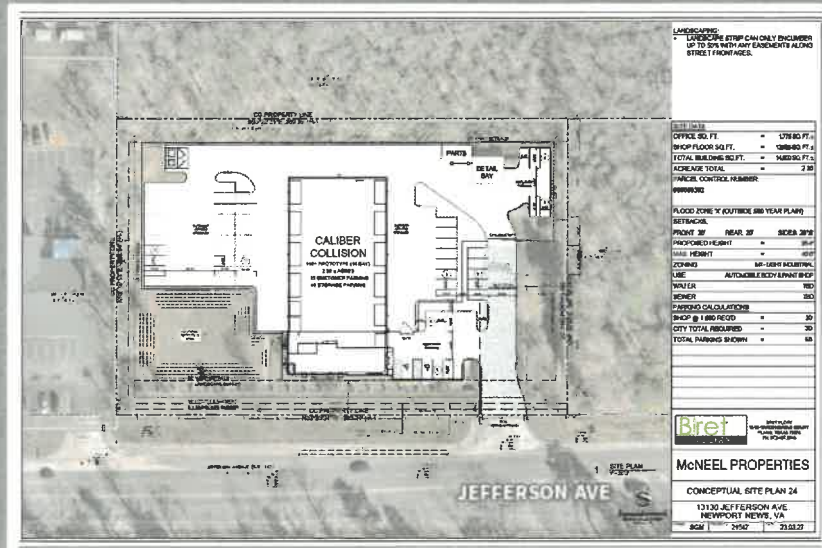


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Master Plan

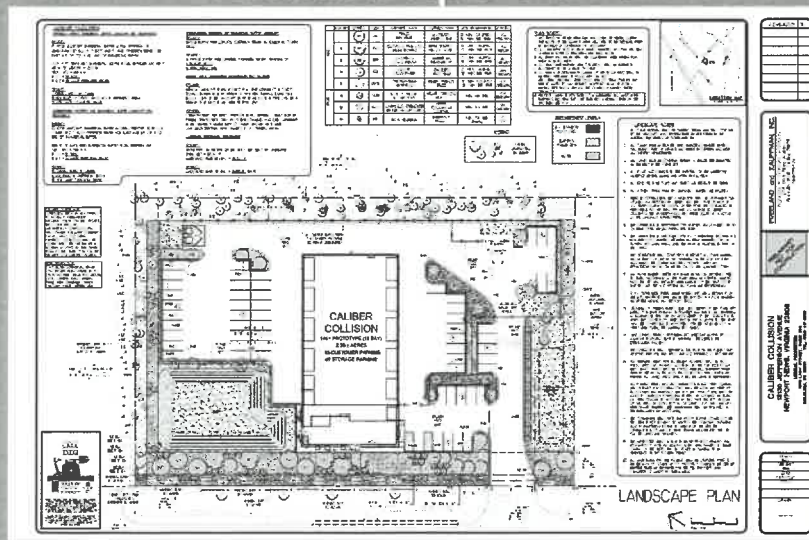


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Landscape Plan

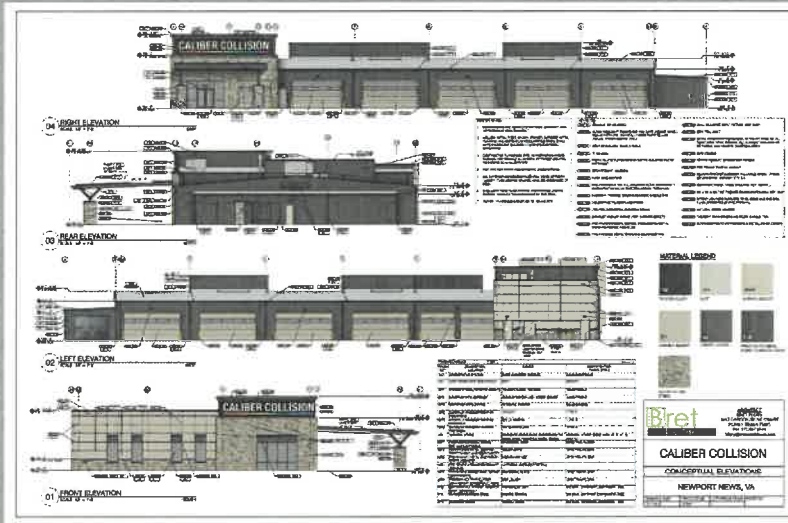


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Conceptual Elevations

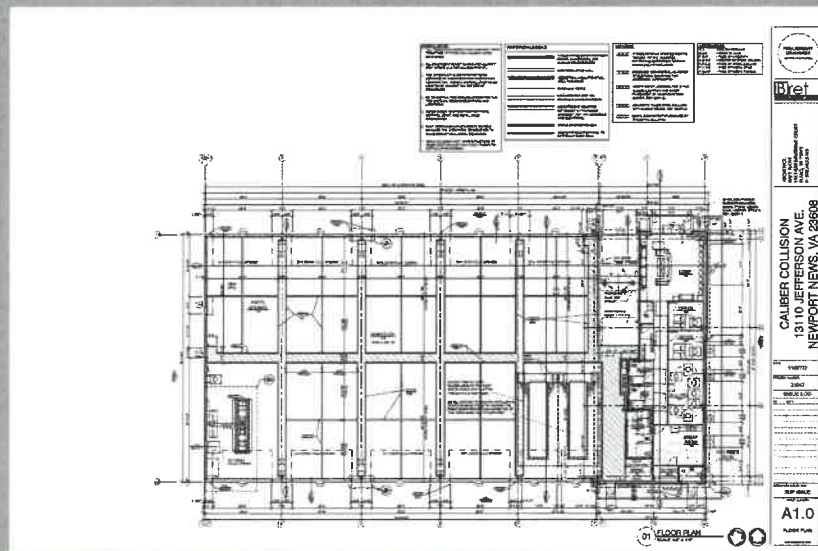


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Floor Plans

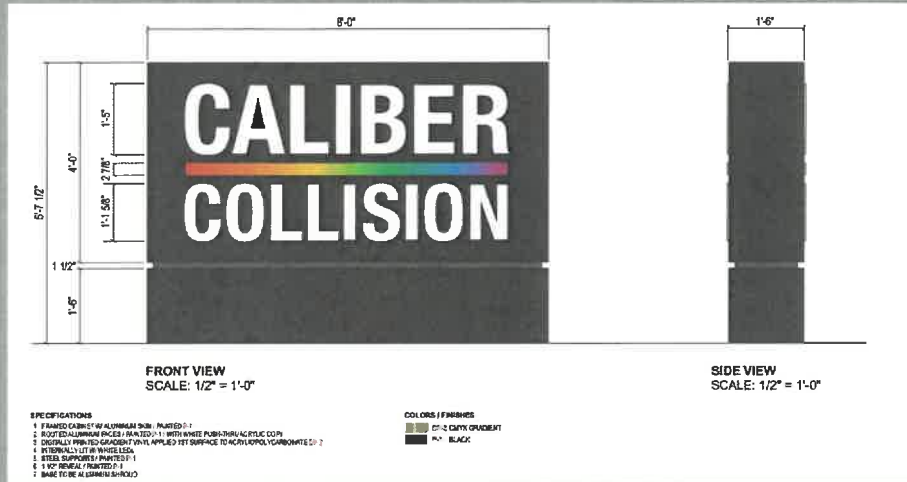


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Sign Rendering



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Conceptual Renderings



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Project Benefits

- Consistent with the property's Light Industrial zoning and the character for the property as envisioned by the City's Comprehensive Plan
- Secures important reuse of vacant site
- High quality aesthetics that will improve the appearance and character of the corridor

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Project Benefits

- Excellent source of new employment and tax revenue
- As conditioned, the proposed use is preferable to many by-right uses which would not afford the City the same level of scrutiny

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