

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**Wednesday, September 5, 2018**  
**City Council Chambers**  
**2400 Washington Avenue**  
**Newport News, Virginia**

**PRESENT: PRESENT:** Mark W. Mulvaney, Chairman; 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; Flora Chioros, Planning Coordinator; Saul Gleiser, Senior Planner; Johnnie Davis, Planner; Lynn Spratley, Deputy City Attorney; Nyoka Hall, Zoning Administrator; Christin Frank, Zoning Coordinator)

**ABSENT:** None

**CALL TO ORDER**

Mr. Carpenter 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. Groce seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

**INVOCATION**

Dr. Maxwell presented the invocation.

**MINUTES**

The minutes of the August 1, 2018 public hearing were approved as presented.

**PUBLIC HEARING**

**SUBDIVISION & SITE REGULATIONS AMENDMENTS**

**SO-2018-0003, City of Newport News.** Requests an amendment to Appendix B, Subdivision Regulations, by replacing "director of engineering" with "director of planning".

Flora Chioros, Planning Coordinator, presented the staff report (copy attached to record minutes).

Mr. Mulvaney opened and closed the public hearing.

Ms. Fox made a motion to recommend adoption of subdivision ordinance amendment SO-2018-0003 to City Council. The motion was seconded by Mr. Simmons.

**Vote on Roll Call**

**For:** Maxwell, Fox, Wittkamp, Carpenter, Simmons, Stodghill, Willis, Groce, Mulvaney  
**Against:** None  
**Abstention:** None

The Planning Commission voted unanimously (9:0) to recommend adoption of subdivision ordinance amendment SO-2018-0003 to City Council.

**SO-2018-0004, City of Newport News.** Requests an amendment to Appendix B, Subdivision Regulations, Article IV. General Regulations, Section 4-01 and repealing Section 4-01.9, Subdivision Review Board.

Ms. Chioros stated the Planning Department has requested the amendment be deferred to the October 3, 2018 public hearing.

Ms. Willis made a motion to defer subdivision ordinance SO-2018-0004 to the October 3, 2018 public hearing. The motion was seconded by Mr. Simmons.

**Vote on Roll Call**

**For:** Fox, Wittkamp, Carpenter, Simmons, Stodghill, Willis, Groce, Maxwell, Mulvaney  
**Against:** None  
**Abstention:** None

The Planning Commission voted unanimously (9:0) to recommend deferral of subdivision ordinance amendment SO-2018-0004 to the October 3, 2018 public hearing.

**SR-2018-0003, City of Newport News.** Requests an amendment to Chapter 33.02, Site Regulations, by replacing "director of engineering" with "director of planning".

Flora Chioros, Planning Coordinator, presented the staff report (copy attached to record minutes).

Mr. Mulvaney opened and closed the public hearing.

Ms. Fox made a motion to recommend adoption of site regulations amendment SR-2018-0003 to City Council. The motion was seconded by Ms. Willis.

**Vote on Roll Call**

**For:** Wittkamp, Carpenter, Simmons, Stodghill, Willis, Groce, Maxwell, Fox, Mulvaney  
**Against:** None  
**Abstention:** None

The Planning Commission voted unanimously (9:0) to recommend adoption of site regulations amendment SR-2018-0003 to City Council.

### **DEFERRED STORMWATER AMENDMENT**

**CBPA-2018-0002, City of Newport News. (Deferred from Planning Commission meeting of July 18, 2018)** Requests an amendment to Chapter 37.1, Stormwater Management, Article V., Chesapeake Bay Preservation, Section 37.1-55.1, Appeals, Limitations, by adding "Standard" in the heading and specifying what an aggrieved party must prove when appealing the action of the Board of Zoning Appeals to the Circuit Court.

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Mr. Mulvaney opened and closed the public hearing.

Mr. Simmons made a motion to recommend adoption of stormwater amendment CBPA-2018-0002 to City Council. The motion was seconded by Mr. Carpenter.

#### **Vote on Roll Call**

**For:** Carpenter, Simmons, Stodghill, Willis, Groce, Maxwell, Fox, Wittkamp, Mulvaney

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (9:0) to recommend adoption of Chesapeake Bay Preservation Area amendment CBPA-2018-0002 to City Council.

### **CONDITIONAL USE PERMIT**

**CU-2018-0007, James River Country Club, Inc.** Requests a conditional use permit for the operation of a country club on property located at 1500 Country Club Road. The property contains approximately 142.2 acres and is zoned R2 Single-Family Dwelling. The Parcel No. is 243.00.02.01.

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Ms. Fox asked if this conditional use permit allows the country club to bring all of their improvements under one permit, and they will no longer have to go through other permitting processes as time goes by. Mr. Gleiser stated they will still need to go through site plan and anything that is required for new construction, but yes, it is to avoid having to come in for any additions or updates to their buildings that would require a special exception because right now they are a legally nonconforming use. Mr. Gleiser stated this conditional use permit brings the country club in to conformance.

Ms. Fox asked if the conditional use permit allows the country to club to build other facilities without any type of special permits. Ms. McAllister stated it will, as long as the facility does not require a conditional use permit. She stated the boat basin requires a conditional use permit, but for the most part if they expand anything else on the site it will eliminate the need for a special exception. Mr. Gleiser stated, for example, the welcome center they want to construct will need site plan approval and a building permit, but they will not need a special exception and have to go through the Board of Zoning Appeals.

Mr. Mulvaney asked if the zoning is planned to change for the golf course coming forward because it is in R2 now. Mr. Gleiser stated no. Mr. Mulvaney stated the comprehensive plan 2040 designates it as a park. Mr. Gleiser stated yes, as recreation, and in the frameworks before the new plan.

Mr. Carpenter asked, for clarity, this conditional use permit does not void any prior permits or requirements. Mr. Gleiser stated that is correct.

Mr. Mulvaney opened the public hearing.

Mr. Richard Johnson, 1500 Country Club Road, Applicant, stated he is available for questions.

Mr. Mulvaney closed the public hearing.

Mr. Simmons made a motion to recommend adoption of conditional use permit CU-2018-0007 to City Council. The motion was seconded by Dr. Maxwell.

**Vote on Roll Call**

**For:** Simmons, Stodghill, Willis, Groce, Maxwell, Fox, Wittkamp, Carpenter, Mulvaney

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (9:0) to recommend approval of conditional use permit CU-2018-0007 to City Council.

**ZONING TEXT AMENDMENT**

**ZT-2018-0007, City of Newport News** Requests an amendment to Chapter 45, Article XXXII., Section 45-3205.1(a), Board of Zoning Appeals, by removing "director of planning" from the language. **(Contact Planner: Saul Gleiser at 926-8076)**

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Mr. Mulvaney opened and closed the public hearing.

Mr. Groce made a motion to recommend adoption of zoning text amendment ZT-2018-0007 to City Council. The motion was seconded by Ms. Fox.

**Vote on Roll Call**

**For:** Stodghill, Willis, Groce, Maxwell, Fox, Wittkamp, Carpenter, Simmons, Mulvaney

**Against:** None

**Abstention:** None

The Planning Commission voted unanimously (9:0) to recommend adoption of zoning text amendment ZT-2018-0007 to City Council.

**EXECUTIVE SECRETARY REPORT**

Ms. McAllister stated that on August 14, 2018, City Council approved the city's new land use policy, *One City One Future 2040* comprehensive plan. She stated the adopted document will appear on our website after the September 17, 2018 deadline for Choice Neighborhoods Initiative.

Mr. Carpenter asked if any modifications were made to Planning Commission's recommendations to City Council. Ms. McAllister stated no. She stated City Council adopted the comprehensive plan based on Planning Commission's recommendations.

Ms. McAllister stated on August 14, 2018, City Council also approved change of zoning CZ-2018-0001, which was a change of zoning from R4 to R8 for a parking lot across from the old Whittaker Hospital to allow that renovation to occur. She stated City Council also approved the accompanying conditional use permit, which allows the parking lot. Ms. McAllister stated City Council approved the subdivision ordinance and site regulation amendments that went before them as well.

Ms. McAllister stated we have no cases for the September 19, 2018 meeting. Ms. Fox asked if there are any cases that would require a work session. Ms. McAllister stated no, not at this time.

Ms. Fox made a motion to cancel the September 19, 2018 meeting. The motion was seconded by Ms. Willis. The Planning Commission voted by acclamation.

Ms. McAllister stated we will have one case on October 3, 2018, which is the deferred subdivision ordinance amendment.


Ms. McAllister stated we have a dedication of the King-Lincoln Beach Boardwalk that is part of our Choice Neighborhoods Initiative early action activities. She stated it is scheduled for September 22, 2018 at 4:00 P.M. Ms. McAllister stated after the dedication, there will be the King-Lincoln Park Summer Series where The Unifics, which is a local band, will be performing at 5:00 P.M.

**COMMITTEE REPORTS**

Mr. Carpenter stated the Regulations Committee met on August 15, 2018, where we discussed and voted on all of the amendments that were presented today.

There being no further business, the meeting adjourned at 2:30 P.M.

  
Recording Secretary

  
Executive Secretary