

AT THE WORK SESSION OF THE HAMPTON PLANNING COMMISSION MEETING HELD IN THE COMMUNITY DEVELOPMENT DEPARTMENT CONFERENCE ROOM, 5TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, JUNE 20, 2024 AT 3:00 P.M.

Vice-Chair Ruthann Kellum called the work session to order at 3:05 P.M.

A call of the roll noted Commissioners Kathy Rogers, Tracy Brooks, Brian DeProfio and Vice Chair Ruthann Kellum as being present. Commissioners Trina Coleman, Hope Harper, and Chairman Michael Harris were noted as absent; however, Commissioner Coleman arrived after the roll call. Staff in attendance were Secretary to the Commission/Community Development Director Bonnie Brown, Zoning Administrator Allison Jackura, Assistant City Attorney Jessica Kraus, Chief Planner Donald Whipple, City Planner Davis Pemberton, Recording Clerk/Support Services Administrative Coordinator Kristie Graves and Clerk of Boards and Commissions Arlena Cahoon.

The Commission and staff discussed agenda items, with the following information being provided.

Zoning Ordinance Amendment No. 24-0276 and Zoning Ordinance Amendment No. 24-0277: The items are related. There is an anticipated deferral of these items to the July 18, 2024 Planning Commission Meeting.

Rezoning Application No. 24-0278: This item is to rezone four parcels located at 31, 39, 41, and 49 Semple Farm Road from One Family Residential (R11) District, to Townhouse Multifamily Residential (MD-1) District, to construct townhomes on Fee-Simple Lots. There is an anticipated deferral to the August 22, 2024 Planning Commission Meeting.

Planning Commission Action No. 24-0287: This item is related to expansion of an existing substation located at 1606 Hardy Cash Drive, one (1) unaddressed parcel abutting a portion of the eastern boundary of 1606 Hardy Cash Drive, a portion of 1618 Hardy Cash Drive, and a portion of one (1) unaddressed parcel abutting a portion of the eastern boundary of 1606 Hardy Cash Drive. It was noted that this item does not go to City Council, and the Planning Commission makes the final decision on the item. If the item is denied by the Planning Commission, the applicant can appeal to City Council.

Agenda Order: The first items discussed on the agenda will be Items IV. No. 24-0276 and No. 24-0277 for approval of deferral to the July 18, 2024 Planning Commission Meeting and Item IV. No. 24-0278 for approval of deferral to the August 22, 2024 Planning Commission Meeting. The last item IV. 24-0287 will be discussed today at the meeting and will require action by the Planning Commission.

The work session adjourned at 3:29 P.M.

AT THE REGULAR MEETING AND PUBLIC HEARING OF THE HAMPTON PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, JUNE 20, 2024 AT 3:30 P.M.

I. CALL TO ORDER

Vice Chair Ruthann Kellum called the meeting to order at 3:36 P.M.

II. ROLL CALL

A call of the roll noted Commissioners Kathy Rogers, Tracy Brooks, Trina Coleman, Brian DeProfio, and Vice-Chair Ruthann Kellum as being present. Commissioner Hope Harper and Chairman Michael Harris were noted as absent. Staff in attendance were Secretary to the Commission/Community Development Director Bonnie Brown, Zoning Administrator Allison Jackura, Assistant City Attorney Jessica Kraus, Chief Planner Donald Whipple, City Planner Davis Pemberton, Recording Clerk/Support Services Administrative Coordinator Kristie Graves and Clerk of Boards and Commissions Arlena Cahoon.

III. APPROVAL OF MINUTES

24-0310 APPROVAL OF THE MINUTES FROM THE MAY 16, 2024 PLANNING COMMISSION MEETING

A motion was made by Commissioner Trina Coleman and seconded by Commissioner Tracy Brooks to approve the minutes of the May 16, 2024 Work Session and Planning Commission meeting.

A roll call vote on the motion resulted as follows:

AYES:	Rogers, Brooks, Coleman, DeProfio, Kellum
NAYS:	None
ABSTAIN:	None
ABSENT:	Harper, Harris

IV. PUBLIC HEARING ITEMS

Secretary Bonnie Brown read the key points of the Hampton Planning Commission Public Hearing/Comment Rules.

Secretary Brown requested two (2) agenda items No. 24-0276 and No. 24-0277 be deferred to the July 18, 2024 Planning Commission Meeting. The proposed amendments are related to short-term rentals and are being brought forward as direction from City Council to prepare a Home Stay Rental Provision. Additionally, the City Council requested to prepare an additional amendment related to the separation buffered distance. The proposed amendment would reduce the buffer from 500 feet to 300 feet. In order to be efficient and deal with all short-term rental proposed changes at the same time, Secretary Brown has requested to defer those items until next month when the buffer amendment will come to the Commission review and action. A separate motion and vote are required for each item.

ZOA 24-0276 – Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 2, Section 2-2 Entitled “Definitions” to Add a New

Definition for “Homestay Rental” and Amend Related Definitions **ANTICIPATED DEFERRAL TO THE JULY 18, 2024 PLANNING COMMISSION MEETING**

A motion was made by Commissioner Brian DeProfio and seconded by Commissioner Kathy Rogers to defer Zoning Ordinance Amendment No. 24-0276 to the July 18, 2024 Planning Commission Meeting.

A roll call vote on the motion resulted as follows:

AYES: Rogers, Brooks, Coleman, DeProfio, Kellum
NAYS: None
ABSTAIN: None
ABSENT: Harper, Harris

ZOA 24-0277 – Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 3, Section 3-2 Entitled “Table of Uses Permitted” and Section 3-3 Entitled “Additional Standards on Uses” to Add the Use “Homestay Rental” as Permitted with Approval of a Zoning Administrator Permit if Additional Standards are met within the One and Two Family Residential (R-LL, R-43, R-R, R-33, R-22, R-15, R-13, R-11, R-9, R-8, and R-4), the Multifamily (MD-1, MD-2, MD-3, MD-4, and R-M), the Neighborhood Commercial (C-1), the Limited Commercial (C-2), the Langley Flight Approach Limited Residential (LFA-5), the Residential Transition (RT-1), the Buckroe Bayfront Single Family Residential (BB-1), the Buckroe Bayfront Mixed Residential (BB-2), the Buckroe Bayfront Optional Mixed Use (BB-3), the Downtown (DT-1, DT-2, and DT-3), the Phoebus (PH-1, PH-2, and PH-3), and the Fort Monroe Inner Fort (FM-1), the Fort Monroe Historic Village (FM-2), and the Fort Monroe North Gate (FM-3) Zoning Districts **ANTICIPATED DEFERRAL TO THE JULY 18, 2024 PLANNING COMMISSION MEETING*

A motion was made by Commissioner Brian DeProfio and seconded by Commissioner Trina Coleman to defer Zoning Ordinance Amendment No. 24-0277 to the July 18, 2024 Planning Commission Meeting.

A roll call vote on the motion resulted as follows:

AYES: Rogers, Brooks, Coleman, DeProfio, Kellum
NAYS: None
ABSTAIN: None
ABSENT: Harper, Harris

RZ 24-0278 – Rezoning Application by D.R. Horton, Inc. to Rezone Four Parcels Located at 31, 39, 41, and 49 Semple Farm Road [LRSN: 6001077, 6000966, 6001706, and 6001075] Totaling +/- 7.93 Acres, from One-Family Residential (R-11) District to Townhouse Multifamily Residential (MD-1) District with Conditions to Construct Townhomes on Fee-Simple Lots

Ms. Brown added that this is a rezoning application by D. R. Horton to rezone four (4) parcels on Semple Farm Road. The applicant has requested to defer this application so they can work with the staff and community to refine some of the elements of the proposal and answer questions from surrounding neighbors. The applicant is requesting deferral to the August 22, 2024 Planning Commission Meeting and staff supports this deferral for this purpose.

A motion was made by Commissioner Brian DeProfio and seconded by Commissioner Kathy Rogers to defer Rezoning Application No. 24-0278 to the August 22, 2024 Planning Commission Meeting

A roll call vote on the motion resulted as follows:

AYES: Rogers, Brooks, Coleman, DeProfio, Kellum
NAYS: None
ABSTAIN: None
ABSENT: Harper, Harris

PCA 24-0287 – Planning Commission Action Application No. 24-0287 by Stefan Brooks to Permit the Expansion of an Existing Substation Located at 1606 Hardy Cash Drive, One (1) Unaddressed Parcel Abutting a Portion of the Eastern Boundary of 1606 Hardy Cash Drive, a portion of 1618 Hardy Cash Drive, and a Portion of One (1) Unaddressed Parcel Abutting a Portion of the Eastern Boundary of 1606 Hardy Cash Drive [LRSNs 7001883, 7001884, 7001889, and 7003018]

City Planner Davis Pemberton presented the staff report on the subject application. In conclusion, staff recommends approval of Planning Commission Action Application No. 24-0287.

Applicant Stefan Brooks introduced himself and provided a presentation on PCA 24-0287.

In response to a question from Commissioner Coleman, Mr. Brooks answered that the two additional parcels were acquired from private entities. That information is included in the application and with the owners listed as co-sponsors.

Assistant City Attorney Jessica Kraus added that a Planning Commission Action does not go to City Council for approval. The Planning Commission is the final arbiters on this item.

There being no further questions or speakers, the Planning Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day a Planning Commission Action application to permit the expansion of the substation currently located at 1606 Hardy Cash Drive and an unaddressed parcel abutting a portion of the eastern property boundary [LRSN: 7001884];

WHEREAS: the proposed development includes the replacement of one of the substation transformers and associated equipment. There is a 20'x40' control enclosure proposed to be placed on the north side of the substation as part of the overall expansion. There is a new 16' access road proposed to allow access to the existing communication tower on an adjacent parcel;

WHEREAS: the proposed scope of work includes acquiring 0.172 acres of 1618 Hardy Cash Drive. [LRSN: 7003018] and 0.92 acres of an unaddressed parcel abutting the eastern property boundary [LRSN: 7001889];

WHEREAS: the subject properties are zoned Limited Commercial (C-2) District and One-Family Residential (R-9) District. The subject properties are also located within the Overlay – Coliseum Central (O-CC) District;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends public/semipublic and mixed-use for the subject properties;

WHEREAS: structures to house public utilities are a permitted use in the C-2 and R-9 District, subject to approval by the Planning Commission pursuant to the provisions of Section 15.2-2232 of the Code of Virginia. This section of the Code states the general location, character, and extent of public utility facilities must be approved by the Planning Commission as being in substantial accord with the Community Plan;

WHEREAS: City staff recommends approval of this Planning Commission Action application; and

WHEREAS: no one from the public spoke for or against this application.

NOW, THEREFORE, on a motion by Commissioner Kathy Rogers and seconded by Commissioner Tracy Brooks,

BE IT RESOLVED that the Hampton Planning Commission approves Planning Commission Action Application No. 24-0287.

A roll call vote on the motion resulted as follows:

AYES:	Rogers, Brooks, Coleman, DeProfio, Kellum
NAYS:	None
ABST:	None
ABSENT:	Harper, Harris

V. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Department has recently hired a new Junior Youth Planner. He will be introduced at next month's Planning Commission meeting.

VII. ITEMS BY THE PUBLIC

There were no items by the public.

VIII. MATTERS BY THE COMMISSION

There were no matters by the Commission.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:57 P.M.

Respectfully Submitted,

Bonnie N. Brown
Secretary to the Commission

APPROVED BY:

Michael Harris
Chairman