

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, OCTOBER 17, 2024 AT 3:00 P.M.

Vice-Chair Kathy Rogers called the work session to order at 3:02 P.M.

A call of the roll noted Vice-Chair Kathy Rogers, Commissioners Tracy Brooks, Brian DeProfio, and Ruthann Kellum as being present. Commissioners Trina Coleman and Hope Harper, and Chair Michael Harris were noted absent; however, Commissioners Trina Coleman and Hope Harper arrived after roll call. Staff in attendance were Secretary to the Commission/Community Development Deputy Director Kim Mikel, City Attorney Courtney Sydnor, Planning and Zoning Administration Division Manager Mike Hayes, Zoning Administrator Allison Jackura, Assistant City Attorney Jessica Kraus, Senior Business Development Manager Mike Yaskowsky, Interim Resiliency Officer Olivia Askew, Resiliency Specialist Anna Hammond, and Clerk of Boards and Commissions Arlena Cahoon.

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

Planning Commission Action No. 24-0436:

Secretary Kim Mikel noted that this item on the agenda is a Planning Commission Action (PCA). Planning Commission Actions take place when approval is needed for utilities, such as pump stations or electrical substations.

Assistant City Attorney Jessica Kraus noted that Planning Commission Actions are different from other actions that the Commission typically hears. The Commission's action on this item is final, with notification of the action sent to City Council. As mentioned, PCAs transpire when there is a proposal for a utility in a new location. The standard of review analysis is to determine if the utility in this location complies with the Comprehensive Plan. It is not something that requires conditions or a zoning evaluation.

In response to Commissioner Ruthann Kellum, Planning and Zoning Administration Division Manager Mike Hayes responded that the existing pump station will stay active until the new pump station is ready to come online. The surrounding properties will then be connected to the new pump station before the old one becomes inactive. The new pump station will also be closer to the existing residential area than the old pump station is.

Rezoning Application No. 24-0430:

Ms. Mikel noted that this a Rezoning Application for 1721 North King Street. This is a split zoned parcel that is currently zoned R-M and C-1. The applicant is requesting the parcel be rezoned entirely to C-1 zoning. Currently, there is a building on the lot that contains two (2) units, with one (1) unit occupied as a doctor's office.

In response to Commissioner Kellum, Mr. Hayes responded, it appears that the whole building is not being utilized. The applicant indicated that he is the owner of the building and runs the residing doctor's office. The applicant also mentioned the possibility of his wife opening a day-care in the neighboring unit, but it is still undecided. The current focus is getting the whole building rezoned, so it can be permitted for the uses under C-1 zoning.

Use Permit Application No. 24-0435:

Ms. Mikel noted that this is a Use Permit Application by Peninsula Foodbank. They are seeking to construct a new building for the purpose of a food distribution warehouse and to

provide additional community services. The community services use would be defined as a community center. In order for the Foodbank to operate as a community center, they will need a use permit.

In response to Commissioner Kellum, Mr. Hayes clarified that it will not be a recreational community center. Instead, a portion of the building will be used to provide classes and variety of services for the community, which would necessitate a use permit for a community center.

Use Permit Application No. 24-0437:

Ms. Mikel noted that this is a Use Permit for Hampton University. They currently have an approved use permit for the fourteenth (14th) floor of the Harbor Center, and are looking to deviate from the conditions in the way of the floor plan. This will be coming forward to amend the conditions of the current use permit, with staff removing all references to the floor plan, so they can have greater flexibility on what they can do with the space.

In response to Vice-Chair Rogers, Mr. Hayes responded that it is a unique use for the entire floor that was previously approved for use as an event space. Since then, the University received a grant to expand the kitchen in order to host culinary courses, all the more befitting a university use. In reviewing the previous application, staff thought it was similar to a banquet hall, so staff proposed conditions that were done for other banquet halls in the past. This would allow them the ability to have their educational programs along with an event space with more flexibility. The functionality would be different from other banquet halls, due to the sole use by the university, and its location on the fourteenth (14th) floor.

Ms. Kraus added that the written conditions address other concerns that may come up in regards to the event space. As mentioned, with it being a university use, along with an event space, the written conditions cover the uses accordingly.

In response to questions from Vice-Chair Rogers, Mr. Hayes responded that culinary instruction would happen there regularly, particularly due to the grant they received for expansion of the kitchen and the culinary courses. It will still be occasionally used as an event space.

Commissioner Trina Coleman added that as a former administrator and graduate of Hampton University, she recognized that they would like to have board meetings and several other special events in this space. Additionally, the University is working on expanding their hospitality program. Currently, the board meetings and other special occasions are being held in either the cafeteria or student center. While the cafeteria and student center are appealing buildings, this space is more fitting to be utilized for such events. The space will exclusively be used for educational purposes and hosting University events. The live music aspect refers to performances by the students, such as the choir or jazz bands.

In response to a question from Vice-Chair Rogers, Ms. Kraus responded that the partnership documentation was included in the package to justify the signature on the application.

In response to a question from Commissioner Hope Harper, Commissioner Coleman responded that she is not certain if they will be renting out the event space to others.

Mr. Hayes added that a representative from the University will be attending the public hearing to address any questions. Additionally, this use permit would allow them to rent out the event space, but a staff member from the university would need to be physically present during the events.

Vice-Chair Rogers added based on the information provided, it may be available for people to rent, but they cannot have a promoter host events. Everything that will transpire in the space will be controlled wholly by the University.

Comprehensive Plan Amendment to Adopt the 2024 Natural Infrastructure Resilience Plan:

Ms. Mikel noted that this item is to adopt the 2024 Natural Infrastructure Resilience Plan, which was presented to the Planning Commission in August. This item will require action at this evening's meeting to be adopted by reference of the Hampton Community Plan.

Ms. Kraus provided copies for the Commissioners of a statement from Joint Base Langley Eustis that was received after the package was published.

In response to Commissioner Kellum, Interim Resiliency Officer Olivia Askew responded that Hampton's partnership with the U.S. Army Corps of Engineers will implement the Virginia Peninsula Coastal Storm Risk Management Feasibility Study throughout the Peninsula. There are six (6) community meetings scheduled in the next two (2) weeks. Two (2) will be hosted by the Army Corps regarding compliance of the National Environmental Policy Act (NEPA). The remaining four (4) community meetings will be hosted by the City to address how the project may impact local subdivisions throughout Hampton.

Matters by the Staff:

Ms. Kraus introduced the new City Attorney, Courtney Sydnor. Ms. Sydnor came to Hampton from Loudoun County, where she had previously worked on various land use cases. She is familiar with the work of the Planning Commission, and wanted to attend the meeting and greet the Commissioners.

The Commissioners welcomed Ms. Sydnor and expressed their happiness to have her with the City.

The work session adjourned at 3:25 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, OCTOBER 17, 2024 AT 3:30 P.M.

I. CALL TO ORDER

Vice-Chair Kathy Rogers called the meeting to order at 3:34 P.M.

II. ROLL CALL

A call of the roll noted Vice-Chair Kathy Rogers, Commissioners Tracy Brooks, Trina Coleman, Ruthann Kellum, Hope Harper, and Brian DeProfio as being present. Chair Michael Harris was noted as absent. Staff in attendance were Secretary to the Commission/Community Development Deputy Director Kim Mikel, Zoning Administrator Allison Jackura, Planning and Zoning Administration Division Manager Mike Hayes, Assistant City Attorney Jessica Kraus, Resiliency Specialist Anna Hammond, City Planner Quinn Heinrich, Senior Youth Planner Helena Folkerts, and Clerk of Boards and Commissions Arlena Cahoon.

III. APPROVAL OF MINUTES

A motion was made by Commissioner Trina Coleman and seconded by Commissioner Hope Harper to approve the minutes from the September 19, 2024, Planning Commission meeting and work session.

A roll call vote on the motion resulted as follows:

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

IV. PUBLIC HEARING ITEMS

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

2. Planning Commission Action No. 24-0436 by Trilogy Developers, LLC for a New Sanitary Sewer Pump Station on a Portion of an Unaddressed Parcel on Lasalle Avenue [LRSN 2000401]

Planning Commission Action 24-0436: This is a Planning Commission Action by Trilogy Developers, LLC for a new sanitary sewer pump station on a portion of an unaddressed parcel on Lasalle Avenue.

Planning and Zoning Administration Division Manager Mike Hayes presented the staff report on the subject action. Staff recommended approval of Planning Commission Action No. 24-0436.

Ross Vierre and Dan Ruby, representing Timmons Engineering were available to address any questions that the Planning Commission may have.

Vice-Chair Rogers opened the public hearing. There being no individuals signed up to speak, Vice-Chair Rogers closed the public hearing,

In response to a question from Commissioner Coleman, Mr. Hayes responded that staff cannot place any conditions on Planning Commission Actions, and the proposed pump station is still working through its final design.

A motion was made by Commissioner Hope Harper and seconded by Commissioner Ruthann Kellum to approve PCA No. 23-0436.

A roll call vote on the motion resulted as follows:

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

3. Rezoning Application No. 24-0430 By Armia Real Estate LLC to Rezone the Parcel Located at 1721 N King Street [LRSN: 8005028], Totaling +/-0.88 acres, from Multiple Residential (R-M) District and Neighborhood Commercial (C-1) District to Neighborhood Commercial (C-1) District with Conditions

Rezoning Application No. 24-0430: This is a rezoning application by Armia Real Estate, LLC, to rezone the parcel located at 1721 N King Street [LRSN: 8005028] Totaling +/-0.88 acres, from Multiple Residential (R-M) District and Neighborhood Commercial (C-1) District to Neighborhood Commercial (C-1) District with Conditions.

Planning and Zoning Administration Division Manager Mike Hayes presented the staff report on the subject application. Staff recommended approval of Rezoning Application No. 24-0430 with seven (7) proffered conditions.

In response to Commissioner Coleman, Mr. Hayes responded that staff cannot require the applicant to hold a community meeting. However, staff consistently continues to encourage applicants to have them. It was presumed that this applicant did not engage with the community regarding the application.

In response to Commissioner Kellum, Mr. Hayes responded that there is a right-of-way beside this property that leads back toward the other properties. It is a separate entryway, so the business can only be directly accessed from North King Street. Mr. Hayes added that there will also be landscaping improvements in the parking lot along the right-of-way lane and North King Street.

In response to Vice-Chair Rogers, Mr. Hayes responded that staff sends out notification postcards to properties that are 1/10 of a mile from the subject property. Staff did not receive any feedback regarding this application.

In response to Commissioner Coleman, Mr. Hayes responded that if they were to build a pier, the change in zoning would not affect their rights in that way.

Assistant City Attorney Jessica Kraus added that residential zoning does not impact whether they could build. The impact would be the extent of their property that is in the water as well as flood zone and Chesapeake Bay regulations.

In response to Commissioner Coleman, Mr. Hayes confirmed that they would be able to utilize the water under C-1 zoning.

Ms. Kraus added that staff would have to discuss the requirements that would be necessary in order to build out into that area. They may also have to work with state agencies such as Virginia Marine Resources Commission (VMRC), in order to do so.

Mr. Hayes added that if there is something more than a pier going in the water, it gets more complex due to restrictions that are beyond the City's regulation.

Commissioner Coleman responded that her question was more based on the surrounding zoning area of residential and was curious to what the limits would be since the business is surrounded by homes.

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

WHEREAS: the Hampton Planning Commission has before it this day a rezoning application to rezone 1721 N King Street [LRSN: 8005028], totaling +/- 0.88 acres, from Multiple Residential (R-M) District and Neighborhood Commercial (C-1) District to Neighborhood Commercial (C-1) District with conditions permit additional commercial uses in the existing building;

WHEREAS: the application contemplates continued use of the existing building;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends commercial uses for this property;

WHEREAS: the subject property falls within the boundaries of the North King Street Corridor Master Plan (2007, as amended), which envisions improvements along the corridor to make it more bike and pedestrian friendly while providing a more pleasant connection to Downtown Hampton, Joint Base Langley Eustis – Langley, and the neighborhoods off of N King Street;

WHEREAS: there are seven (7) proffered conditions, which excludes certain auto-oriented uses while permitting a wide variety of uses that are generally neighborhood serving, along with requirements to improve the landscaping to better screen the parking lot and improve the street frontage along N King Street;

WHEREAS: city staff's analysis of the proposal confirms it is in alignment with the City's adopted polices and recommendations for this area of the city;

WHEREAS: city staff recommends approval of this Rezoning Action application with seven (7) proffered conditions;

WHEREAS: the applicant was not present at the public hearing; and

WHEREAS: no one from the public spoke on this item.

NOW, THEREFORE, on a motion by Commissioner Brian DeProfio and seconded by Commissioner Ruthann Kellum,

BE IT RESOLVED that the Hampton Planning Commission recommends approval of Rezoning Application No. 24-0430 with seven (7) proffered conditions.

A roll call vote on the motion resulted as follows:

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

4. Use Permit Application No. 24-0435 by Virginia Peninsula Foodbank for a community center on a +/-4.5-acre portion of 112 Research Drive [LRSN 6000988]

Use Permit Application No. 24-0435: This is a use permit application by Virginia Peninsula Food Bank for a community center on a +/-4.5-acre portion of 112 Research Drive [LRSN 6000988]

Planning and Zoning Administration Division Manager Mike Hayes presented the staff report on the subject application. Staff recommended approval of Use Permit No. 24-0435 with six (6) conditions.

Applicant Bob Latvis, Chief Executive Officer for the Virginia Peninsula Foodbank, emphasized the need of the storage space to accommodate for the amount of chilled and frozen foods. Due to the lack of space, they have had to transfer these food items to other foodbanks. Their goal is to keep the items locally, so they can address the demand for them. The community center will feature a board room, a meeting room, and a small shopping area. This opportunity will enable them to have meetings and provide various counseling services that foster self-sustainable life skills to families in need. Mr. Latvis further mentioned that he has engaged with the owners of the neighboring industrial sites and confirmed that they are in support of the project. He reassured the owners that they will remain proper neighbors, and will enact preventative measures to alleviate traffic that comes onto the site. Mr. Latvis expressed the importance of clarifying the community center's definition and is available to address any questions from the Commissioners.

In response to Commissioner Coleman, Mr. Latvis responded that the culinary classes will stay at its current location and will not be held at the proposed location. Additionally, the layout of the building will be a smaller warehouse with a freezer, meeting rooms, and open space for the community and partnering agencies to pick up food.

In response to Vice-Chair Rogers, Mr. Latvis responded that there are no plans to clear the wooded area of the lot since it is not required for the construction of the building. Although, it would be a nice area for the employees to enjoy and go for walks.

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 use permit application by the Virginia Peninsula Foodbank, to permit a community center at 112 Research Drive [LRSN: 6000988];

WHEREAS: the Virginia Peninsula Foodbank is constructing a new warehouse distribution center in Langley Research and Development Park;

WHEREAS: the Virginia Peninsula Foodbank wishes to provide additional services and provide space for partner agencies providing social services to use at varying times in order to allow people the opportunity to receive multiple services in a single location;

WHEREAS: the property is zoned Langley Business Park (LBP) District, which allows warehouse distribution centers by-right but requires an approved use permit for community centers;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends business/industrial use for the subject property;

WHEREAS: there are eleven (11) recommended conditions based upon the proposed use's operational and land use characteristics, including issuance of permit, hours of operation; unloading and loading of vehicles; maximum capacity; certificate of occupancy; screening of outdoor play area; floor plan inspection; ledger; and state licensing and compliance with all relevant laws;

WHEREAS: City staff recommends approval of this use permit application; and

WHEREAS: no one from the public spoke to this application.

NOW, THEREFORE, on a motion by Vice-Chair Ruthann Kellum and seconded by Commissioner Tracy Brooks,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 24-0325 with eleven (11) conditions.

A roll call vote on the motion resulted as follows:

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

5. Use Permit Application No. 24-0437 by Hampton University to amend the conditions of previously approved Use Permit No. 23-0350, which permits a private university at a portion of 2 Eaton St. [LRSN: 2003199]

Use Permit Application No. 24-0437: This is a use permit application by Hampton University to amend the conditions of previously approved Use Permit No. 23-0350, which permits a private university at a portion of 2 Eaton St. [LRSN: 2003199]

Planning and Zoning Administration Division Manager Mike Hayes presented the staff report on the subject application. Staff recommended approval of Use Permit No. 24-0437 with thirteen (13) conditions.

On behalf of Hampton University, Nicole Wells with The Livas Group, Inc., recognized Mr. Hayes for his proficiency in explaining the details of the proposed space. The kitchen will be upgraded to a commercial kitchen, providing the opportunity for the students to obtain two (2) certifications.

Vice-Chair Rogers opened the public hearing. There being no individuals signed up to speak, Vice-Chair Rogers closed the public hearing.

A motion was made by Commissioner Tracy Brooks and seconded by Commissioner Hope Harper to approve Use Permit Application No. 24-0437 with thirteen (13) recommended conditions.

A roll call vote on the motion resulted as follows:

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

6. Comprehensive Plan Amendment to Adopt the 2024 Natural Infrastructure Resilience Plan by Reference into the Hampton Community Plan (2006, as amended)

Comprehensive Plan Amendment: This is an amendment to adopt the 2024 Natural Infrastructure Resilience Plan by reference into the Hampton Community Plan (2006, as amended)

Planning and Zoning Administration Division Manager Mike Hayes presented the Comprehensive Plan Amendment for the 2024 Natural Infrastructure Resilience Plan. Staff recommended approval of Comprehensive Plan Amendment No. 24-0414 to adopt the 2024 Natural Infrastructure Resilience Plan.

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

WHEREAS: the Hampton Planning Commission has before it this day a request to amend the Hampton Community Plan (2006, as amended) to incorporate by reference the Natural Infrastructure Resiliency Plan;

WHEREAS: the Natural Infrastructure Resiliency Plan is a part of ongoing planning efforts to increase the City of Hampton's resilience;

WHEREAS: the Natural Infrastructure Resiliency Plan was funded by grants from the Department of Homeland Security and the Federal Emergency Management Agency's Flood Mitigation Assistance Grant Program;

WHEREAS: the Natural Infrastructure Resiliency Plan was developed in collaboration with wide ranging stakeholders, including the Fort Monroe Authority, National Park Service, NASA Langley Research Center, Hampton University, Joint Base Langley Eustis-Langley, Hampton Roads Planning District Commission, Virginia Tech Cooperative Extension, the Old Dominion University Institute for Coastal Adaptation and

Resilience, James River Association, Hampton City Schools, and the Hampton Extension Master Gardeners;

WHEREAS: the Natural Infrastructure Resiliency Plan contains strategies for the management, protection, and restoration of natural infrastructure in Hampton;

WHEREAS: natural infrastructure refers to both wild and human created natural environments which capture stormwater, buffer the city from storms, filter pollution, provide connected spaces for wildlife movement, and provide shade; and

WHEREAS: adoption of the Natural Infrastructure Resiliency Plan is critical to achieve the resilience goals outlined in the Hampton Community Plan by adopting more specific goals and strategies in the three key areas of land, water, and people.

NOW, THEREFORE, on a motion by Commissioner Brian DeProfio and seconded by Commissioner Hope Harper,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Comprehensive Plan Amendment No. 24-0414.

A roll call vote on the motion resulted as follows:

AYES: Rogers, Brooks, Coleman, Kellum, Harper, DeProfio

NAYS: None

ABSTAIN: None

ABSENT: Harris

V. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

7. Youth Planner Briefing on the Work of the Youth Commission

Senior Youth Planner Helena Folkerts presented the Youth Planner Report for the Hampton Youth Commission (HYC).

On October 7th, the HYC held a meeting at the Ruppert Sargent Building-Veterans Conference Room, which focused on planning for the outreach and decorations for the candidate's forum.

On October 14th, the HYC held a Candidate's Prom at the NASA Air and Space Museum. This forum had a "youth twist" where the youth, commissioners, and candidates dressed up in prom attire. It was a fun experience, along with learning information from the candidates.

Upcoming Events:

- October 21st – Commission Meeting, Ruppert Sargent Building-Veterans Conference Room, from 6:00 PM – 7:30 PM
- October 28th – Committee Meeting, City Hall, 5th Floor, from 6:00 PM – 7:30 PM
- November 4th – Executive and Commission Meeting, Rupert Sargent Building-Veterans Conference Room 4:45 PM – 7:30 PM
- November 18th – Grants Hearing Prep, Hampton City Council Chambers, 6:00 PM – 7:30 PM

Commissioner Kellum commended the HYC for the work that they did. She had the opportunity to stop by and observe and admired the creativity in getting to know the candidates that are seeking to be elected within the community.

Vice-Chair Rogers agreed with Commissioner Kellum's statement and added that it is encouraging to know the youth is involved with the City and is interested in how it operates. Hopefully, in the future, some of the youth and Commissioners can be a part of one of the Boards or Commissions to help the future leaders in the City of Hampton.

Commissioner Hope Harper, a candidate at the prom, expressed her appreciation to the HYC for their personable impression. She added that it provided the opportunity for the commissioners and candidates to gain insight on how they can assist each other on the visions for the community.

VI. ITEMS BY THE PUBLIC

There were no items by the public.

VII. MATTERS BY THE COMMISSION

Commissioner Kellum commended Mr. Hayes for providing the staff report presentations on all of the land use items. Although there was not much discussion on the last item, she recognized the City and those involved with the 2024 Natural Infrastructure Resilience Plan.

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:45 PM.

Respectfully Submitted,

Kimberly Mikel
Secretary to the Commission

APPROVED BY:

Michael Harris
Chairman