



City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Council Approved Minutes - Final City Council Legislative Session

Mayor George Wallace
Vice Mayor Linda D. Curtis
Councilmember W.H. "Billy" Hobbs
Councilmember Will Moffett
Councilmember Teresa V. Schmidt
Councilmember Chris Snead
Councilmember Donnie R. Tuck

STAFF: Mary Bunting, City Manager
Vanessa T. Valldejuli, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, April 13, 2016

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Wallace convened the meeting at 6:37 p.m. All members of the City Council were present.

Present: 7 - Vice Mayor Linda D. Curtis, Councilmember Billy Hobbs, Councilmember Will Moffett, Councilmember Teresa V. Schmidt, Councilmember Chris Snead, Councilmember Donnie R. Tuck and Mayor George Wallace

GEORGE E. WALLACE PRESIDED

INVOCATION - Councilmember Chris Snead

Councilwoman Snead gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

Visiting Girl Scouts from Troop 1008, who were observing the meeting in connection with earning the Inside Government badge, came forward to lead the Pledge of Allegiance.

MAYOR'S COMMENTS

Mayor Wallace announced that today is Scout Youth in Government Day in which Girl Scouts and Boy Scouts spend time with staff learning about City government. He stated that the City of Hampton is proud of our long tradition of hosting a Scout Youth in Government Day each year to give our young scouts the opportunity to learn more about their local government. He noted

that he believes Hampton is the only Hampton Roads city which continues this practice. He stated today the scouts observed a joint meeting of the City Council and School Board. They learned about the process involved in constructing residences and commercial structures in Hampton, both inside City Hall and on a field trip to various construction sites. We are pleased to be able to offer this outside the classroom educational experience to Hampton's young citizens.

Mayor Wallace also announced that April 10-16, 2016 is National Volunteer Week. He explained that National Volunteer Week is about inspiring, recognizing and encouraging people to seek imaginative ways to engage in their communities; it's also about demonstrating to the nation that by working together, we have the fortitude to meet our challenges and accomplish our goals. He continued stating that National Volunteer Week is also about taking action, encouraging individuals and their respective communities to be at the center of social change, and discovering and actively demonstrating their collective power to make a difference. He noted that National Volunteer Week, established in 1974, has grown to where there are now thousands of volunteers who participate in projects in their communities.

Mayor Wallace also read a proclamation for Volunteer Recognition Week in the City of Hampton. He then presented the proclamation to Nicole Clark, Director of Human Resources, and several volunteers. Ms. Clark gave brief remarks and then presented a ceremonial check to the City in the amount of \$75,173.10 reflecting the value of the hours of volunteer work (3,019) done by volunteers in the City of Hampton for the City.

CONSENT AGENDA

Clerk of Council Katherine Glass read the protocol for the Consent Agenda and a summary of the consent items.

Approval of the Consent Agenda

Motion made by Vice Mayor Curtis, seconded by Councilmember Schmidt, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

1. [16-0039](#) Approval of the minutes from the legislative sessions of February 10, 2016 and March 9, 2016; the work sessions of January 27, 2016 and March 23, 2016; and the ceremonial session of March 23, 2016.

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

2. [16-0105](#) Resolution Appropriating \$406,947.00 Funds Received from Hampton Roads Sanitation District, from the Capital Projects Miscellaneous Revenue Account to the Capital Project Fund for Design and Construction Cost of the Replacement of Bridge Street Bridge

Attachments: [HRSD Agreement](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

3. [16-0106](#) Resolution Appropriating \$155,000 Funds to be Received from Newport News Waterworks Upon Construction Completion from the Capital Projects Miscellaneous Revenue Account to the Capital Project Fund for Design and Construction Costs of the Replacement of Bridge Street Bridge

Attachments: [Extension Agreement](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

4. [16-0121](#) Resolution Determining ALCO Machine, Incorporated to be the Only Source Practicable Available From Which to Procure Forcible Entry Machines and Calibration Units for those machines and Authorizing the Negotiation and Execution of a Purchase Contract with ALCO Machine, Incorporated as "Sole Source"

Attachments: [Sole Source for IAFF/IAFC](#)
[ALCO Machine, Inc. Sole Source](#)
[Estimate of Equipment](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

5. [16-0122](#) Resolution Determining ADF STEEL, Incorporated to be the Only Source Practicable Available From Which to Procure the Ceiling Breach and Pull Machine and the Attaching Brackets for the Ladder Raise and Extension Props and Authorizing the Negotiation and Execution of a Purchase Contract with ADF STEEL, Incorporated as "Sole Source"

Attachments: [IAFF/IAFC Sole Source](#)
[ADF Steel Inc. Sole Source](#)
[Estimate of Equipment](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

6. [16-0126](#) Resolution Authorizing the Grant of an Encroachment, Pursuant

to § 34-86 of the City Code, to Jens R. Knudsen, II and Phyllis A. Knudsen (the "Knudsens") of an Area Comprising 4,000 Square Feet, More or Less, Over a Portion of a City Drainage Easement at the Rear of the Knudsens' Property Located at 41 Tripp Terrace (LRSN 4004684) and the Adjacent City Property Near the Sound Wall for Fence

Attachments: [Knudsen Encroachment](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

7. [16-0127](#) Ordinance to Amend and Reenact Chapter 32.1 City Code of the City of Hampton, Virginia by Amending Section 32.1-41, Entitled "Solid Waste Rate Determination" to Clarify the Manner in which the Solid Waste Rate Determination is Administered.

Attachments: [Redline](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

8. [16-0133](#) Resolution Approving Fiscal Year 2016 Second Quarter Budget Adjustments

Attachments: [FY16 2nd Quarter Budget Adjustments](#)

Item approved.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

The Clerk read the protocol for Public Hearings.

Zoning Ordinance Amendment

9. [16-0107](#) Ordinance to amend and re-enact Article 4 of Chapter 9 of the Zoning Ordinance of the City of Hampton, Virginia Entitled "O-FZ District - Flood Zone Overlay" by striking and readopting the O-FZ District

Attachments: [Presentation](#)
[Red Line](#)
[Planning Commission Resolution](#)

The Clerk read the title for this item. City Manager Mary Bunting introduced Senior Zoning Official Matt Smith to make the presentation.

Mr. Smith stated Hampton participates in the National Flood Insurance Program (NFIP) which allows flood insurance to be offered in the City. He noted that it is also the entity which drives this Ordinance Amendment.

Mr. Smith explained that NFIP is a partnership between localities and the Federal Government which consists of three components: knowing risk, insuring risk, and reducing risk. He added that the Federal Emergency Management Agency (FEMA) provides maps which outline the flood risk in the City, while the Federal Government runs the Flood Insurance Program. In exchange for that, the City administers development regulations that reduce flood risk.

Mr. Smith spoke about the Hampton Flood Zone Ordinance. He stated that Hampton participates in the NFIP's community rating system which is open to communities which manage their floodplain to standards higher than the minimum required. He noted that in exchange for that higher standard, citizens receive a 10% discount on their flood insurance premiums.

Mr. Smith emphasized that the new maps associated with this amendment include more information making them more accurate and allowing the City, citizens and FEMA to more accurately assess risk in the floodplain.

Mr. Smith emphasized the importance of outreach and added that FEMA and City staff held an open house in January. Every resident in the floodplain

received a notice; those with district changes were invited to have a one on one meeting with staff to discuss the changes to their property.

Mr. Smith stated staff and the Planning Commission recommend approval of the Zoning Ordinance Amendment and opened the floor for questions from those on the dais.

Vice Mayor Curtis inquired about the response rate for the one on one meetings.

Mr. Smith stated he was unaware of the exact number of one on one meetings; however, there was an overall high turnout at the open house.

In response to Councilwoman Schmidt, Mr. Smith clarified that A zones are special flood hazard areas (the 100 year floodplain). He noted that there is a small section of AO zones in the City where base flood elevations are not provided, resulting in various ways development is regulated in the area. He added that it is so small that it is nearly irrelevant to development in the City.

Councilwoman Schmidt expressed concern about AO zones, what citizens can expect with regard to water height in these areas, and whether this will affect their insurance rating.

Mr. Smith stated developers are responsible to provide the City with information regarding the base flood height. He noted that this may affect insurance rates since rates can be based on the height of the structure as well as the district.

Councilwoman Schmidt expressed concern about the language in the amendment which states any alterations, repairs, construction or improvements to a building in compliance with the provision shall meet the requirement of the new construction. She asked if the homeowner will be held responsible to rebuild their home to the new standard if a car hits the home during an accident.

Mr. Smith clarified that this provision hasn't changed and when making changes less than 50% of the value of the structure, the person will not be required to bring the structure up to the current standard; however, when

making changes over 50% of the value of the structure, the requirement will be to meet current standards. He noted that this applies to both improvements being proposed as well as damages being repaired due to a fire, for example.

Councilwoman Schmidt inquired about flood vents.

Mr. Smith stated in special flood hazard areas there is a requirement to build to the base flood elevation. There is also a set of construction criteria including requirements to use flood proof materials and provide for flood events that equalize pressure on either side of the foundation.

Mayor Wallace opened the floor for additional questions and/or comments. None were posed.

PUBLIC HEARING:

Mayor Wallace opened the Public Hearing. There were no speakers; therefore, he closed the Public Hearing and called for the motion.

Presented by Matt Smith, Senior Zoning Official.

Council held a public hearing and there were no speakers on the item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Schmidt to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

Community Plan Amendment - Fort Monroe

10. [16-0108](#) Comprehensive Plan Amendment No. 16-00001 to consider the Fort Monroe Land Use Plan (2016) as an amendment to the Hampton Community Plan (2006, as amended) to reflect the closure of Fort Monroe as a military installation and the reuse of portions of the property for mixed-use development

Attachments: [Memo on CPA Revisions](#)

[Poster Plan](#)

[PC Resolution](#)

[Presentation](#)

Mayor Wallace announced that the remaining Public Hearing items involve Fort Monroe; therefore, a staff presentation will be given on agenda items 10 through 21 followed by a joint Public Hearing where citizens may speak on any of the Fort Monroe related items. He noted that once all of the individuals who sign up have spoken, the Clerk will read the title of each item and take a separate vote for each item.

Mayor Wallace called upon Planning and Zoning Administration Manager Keith Cannady to make the staff presentation.

Mr. Cannady stated these amendments are in response to the on-going base closure and reuse process at Fort Monroe as required by the decision of the 2005 Base Realignment and Closure Commission (BRAC). He noted that the first part of the presentation will address the proposal to amend the Hampton Community Plan with the adoption of the Fort Monroe Land Use Plan while the second part of the presentation will address the related Fort Monroe Zoning Amendments.

BACKGROUND ON FORT MONROE

Mr. Cannady stated the entire Fort Monroe property is the subject of the recommendation. The approximately 565 acre property located in the southeastern corner of Hampton is virtually surrounded by water with connections to the Buckroe Beach community and a connection across Mill Creek to the Phoebus community.

Mr. Cannady listed the recreational resources at the Fort as a marina, a beach, a fishing pier, a YMCA facility and a Hampton Community Center. He emphasized that as a military installation, Fort Monroe also contributed over 1,000 jobs and \$300 million to the annual economy of the region.

Mr. Cannady emphasized that the actions the City takes are often driven by decisions made by our Federal/State partners in the process.

PROGRESS SINCE THE 2005 BRAC DECISION

Mr. Cannady stated with the signing of the Programmatic Agreement (PA) in 2009, controls were put in place to ensure the protection of the Fort's historic resources by all current and future property owners. The zone boundaries are based on historical and existing architectural character, current and past land uses, construction periods and concentrations of historic structures on the property.

Mr. Cannady spoke about the boundaries of the Fort Monroe National Monument (about 325 acres when all of the land is transferred). He added that establishment of the monument represents a significant change of land use and ownership with impacts to the rest of Fort Monroe and for surrounding communities. For example, an increase in visitors is expected and a new role for Hampton as a host and gateway for the National Park.

Mr. Cannady spoke about the property transfers to the State (Fort Monroe Authority) and the National Park Service which have already occurred. Over 300 acres reverted from the Department of the Defense to the State in 2014; 240 acres were transferred to the National Park Service in 2015; the Fort Monroe Authority (FMA) adopted a Master Plan in 2013 and a Capital Improvement Plan in 2015. He continued stating that the General Assembly took action in 2014 to clarify the role of the Authority in the City of Hampton relative to planning and zoning for the property.

Mr. Cannady stated the Fort Monroe Land Use Plan was an important document that we considered when developing the planned amendment which is being considered this evening. The network of public open spaces is reflected in our recommendation. A goal for a mix of uses of a live, work, play community is reflected in our recommendation. Most importantly, consideration of the expected transfer of land from the Commonwealth to private ownership is part of the recommendation.

Mr. Cannady stated the recommended plan is designed to support the transformation of Fort Monroe from a military installation into a new and different kind of community in Hampton.

Mr. Cannady elaborated on other significant milestones in the Base Closure

and Realignment Commission (BRAC) process. He stated a number of studies and plans were required by BRAC that provided a wealth of information about the property as well as the communities' concerns about the reuse of the property. He added that we were able to take this information into account as we developed our plan recommendation. He also noted that the summary of the major goals that came out of the 10 year BRAC process of the community vision for Fort Monroe was the foundation used in going forward and developing this plan recommendation.

SUMMARY OF FORT MONROE LAND USE PLAN

Mr. Cannady stated the current plan shows Fort Monroe as a military installation as it was in 2005 when the plan was adopted; however, the recommendation is that our Land Use Plan be amended to recognize the Fort Monroe Master Plan, the Programmatic Agreement, the creation of the Fort Monroe National Monument, the anticipated sale of property for private use, and to promote the preservation of historic and natural resources found on the property.

Mr. Cannady spoke about some of the goals and policy topics for Fort Monroe. He emphasized the main themes are preservation of Fort Monroe and the realization of employment and housing opportunities that the reuse presents.

Mr. Cannady elaborated on the recommendation's promotion of mixed uses. He stated the recommendation refers to key areas where residential uses are appropriate; however, commercial and/or office building uses would also be appropriate. For example the Randolph Hall Building at the entrance of the Fort originally built as a barracks (residential use) is also appropriate for reuse as a commercial or office building. This theme applies throughout the Historic Village area and in the Marina/TRADOC area.

Mr. Cannady added that staff and the Planning Commission recommend approval of the amendment. He then opened the floor for questions from those on the dais prior to moving forward with the next portion of the presentation. No questions were posed.

ZONING ORDINANCE AMENDMENTS/REZONINGS

Mr. Cannady stated the proposal is to adopt a series of Zoning Ordinance Amendments and associated rezonings to recognize the closure of Fort Monroe as a military installation and to support the reuse of portions of the property for private ownership and mixed use development. These recommendations are being brought forward in concert with the Hampton Community Plan recommendation as previously described.

Mr. Cannady stated that the property is currently zoned R-13. This zoning is also used for other large Federal properties such as the VA hospital, NASA and Langley Air Force Base properties. He continued stating that this is a suburban single-family single-use residential district which is viewed as a safe holding zone for Federal properties in the event they might be available some day for future sale or reuse.

Mr. Cannady stated the Fort Monroe Land Use Plan forms the basis for these zoning amendments. He added that there is a close relationship between the land use plan and the zoning amendments in the zoning districts we would be creating with this amendment.

The six proposed Zoning Ordinance Amendments (ZOA) include: ZOA 182, an exemption for the Fort Monroe Districts from the General Green Area requirement in the zoning ordinance. This is regularly done for mixed use districts because the standard open green space requirement doesn't apply to a mix of uses; ZOA 183 creates a definition for the Day Spa; ZOA 184 adds the new Fort Monroe Districts to the use table in the Zoning Ordinance; ZOA 185 adds the word "active" to the definition of the PO-1 District to make it clear that it is a permitted use in this parks district; ZOA 186 creates the new mixed use districts for Fort Monroe; ZOA 187 creates new sign regulations for Fort Monroe to permit appropriate signage while protecting the historic character of the fort.

Mr. Cannady stated this proposal recommends four new mixed-use districts within Fort Monroe and recommends a slight change to the existing PO-1 District. He added the two zoning overlays (Chesapeake Bay Preservation Overlay and the Flood Zone District) will also apply to Fort Monroe.

Mr. Cannady stated the R-13 will be replaced by one of the five new

recommended districts. He described those districts as: PO-1 Parks and Open Space General District, permitted uses are recreational uses such as community centers, parks, playgrounds, skating rinks, and swimming pools; FM-1 Inner Fort Zone, protecting the character of the existing residential community and promoting uses such as hotels, meetings and other hospitality uses supportive of the Fort Monroe National Monument; FM-2, the Historic Village, protecting the character of the residential community and promoting new residential development and allowing for some commercial uses in the limited locations; FM-3 North Gate, this is the best opportunity for employment uses and to allow things such as office, research, development, light industrial, with some limited residential permitted by way of use permit; and FM-4, Wherry Quarter, the purpose is to promote uses that are complementary to and support the Fort Monroe National Monument such as meeting spaces, hospitality uses, recreational and entertainment.

Mr. Cannady stated over the last several months, we have brought the group of zoning amendments and community plan amendments together. The Planning Commission and staff recommend approval.

Mr. Cannady opened the floor for questions and/or comments from those on the dais. No questions were posed.

PUBLIC HEARING:

Ms. Sandra Canepa greeted those on the dais and made the following statement: First, my thanks to each of you who are running again for public office and for your participation at the candidate forums being hosted around town. I encourage the viewing audience to attend one or more of these forums if they can. At the two forums I've attended so far, I learned the three most important issues of concern to Hampton residents are the City's high taxes, its high crime rates, and the poor standings of City schools; yet, there has been only one solution I have heard from the candidates about these problems. And, that is Hampton must attract more business and more tourist dollars. As Vice Mayor Curtis pointed out at last night's forum, Hampton will never be able to afford our City's needs just based on homeowner taxes. Hampton, fortunately, has a great potential to bring tourist dollars and jobs into the local community. We have historic Fort Monroe on the Chesapeake Bay. Something any city in the United States would be thrilled to have. The

Fort Monroe National Monument could become one of the greatest tourist attractions in the nation if tonight, Council approves the Fort Monroe Zoning Plan, specifically, the Planning Department's Amendment to remove residential zoning from Wherry Quarter. Governor Terry McAuliffe and Virginia Secretary of Natural Resources Molly Ward are continuing to work toward unifying the two now separated pieces of the Fort Monroe National Monument. Such an accomplishment by them is the only way to ensure a significant green connection and view shed protections between the two National Park Monuments. Such an accomplishment by them will also open the door to a proven way to greatly attract the tourists and their dollars that are so desperately needed by this City. Last year, recreational visitors to National Parks numbered over 307 million with each person spending approximately \$42 a day. With vision, Hampton can capture perhaps a lot of that money, but only if we play our cards right. In this regard, Council's approval tonight of the Fort Monroe Zoning Plan and the Amendment to remove residential use (zoning use) from Wherry Quarter is crucial and will not only indicate to Richmond that Hampton is fully behind Governor McAuliffe's and Secretary Ward's continued commitment to unify the Fort Monroe National Monument, but Council also will be honoring Hampton's 2012 resolution to protect Fort Monroe's history for future generations of Americans, a history that has been interconnected with Hampton for over 400 years. Thank you.

Ms. Billie Einselen greeted those on the dais and made the following statement: I lived my first two years (here) with my family at Fort Monroe and I've always lived within ten minutes of it. Fort Monroe was similar to a small town when it was an Army post. My son started school at the Fort Monroe Elementary School, now available for reuse. We had a small hospital, also available for reuse. A post office which has been reused now. A fitness center, the Y (YMCA) is there. A service station, not yet there. Two Churches still there. A library. A place to buy groceries and other goods. And, spaces for sports and recreation. Across a bridge, we had Phoebus and downtown Hampton. It was a great place and it is still a great place. Times have changed. As you know, Fort Monroe was released by the U.S. Army in 2005 and became Fort Monroe National Monument (a part of the National Park Service) in 2011. Its transition from a small village to a new handsome Hampton neighborhood and an important tourist destination has been a challenge with steady progress. Please remember that two weeks

from today is Historic Garden Week in Virginia at Fort Monroe and for this area. However, we must proceed cautiously, I think, with this challenge to continue developing Fort Monroe. We must have positive effort and support of both Government and the citizenry. The group Citizens for Fort Monroe National Park (of which I am a member) and others have worked to give this beautiful and historic space a future worthy of its 400 years and its place as both a neighborhood and a tourist attraction. We thank you, members of Council, for letting us talk to you about our interests and our concerns. We fervently ask you to remember your resolution of August 8, 2012, to limit the development to having only to do with tourism, hospitality and environment. I must say I was a little alarmed with all of the residential development that was proposed by the Planning Department. I'm not sure what that is, but I would certainly hope that you would limit that in as much as it is really not needed out there now. We urge you to keep that free of residential development and we owe a great Fort Monroe to those who come after us and to us in the years to come. Thank you.

Mr. Johnnie Carroll greeted those on the dais and made the following statement: The key word that I mean to bring to you tonight is the word anchor. Now, an anchor can be used to fasten a valuable ship from floating away or an anchor can be used as a ball and chain to hold someone from getting somewhere, much as the Sherriff over there will attest. Now, what we have is a choice with Fort Monroe. That Fort Monroe can be an anchor toward a National Park. They have already testified that millions of people come to National Parks and they spend a lot of money. I'm going to help you tonight, Mayor Wallace, because I am going to help you kill three birds with one stone. Now, you are already having a problem with Crowne Plaza. Now, when I look at the map, Crowne Plaza is the closest hotel to Fort Monroe. So, those visitors are going to be leaving from Crowne Plaza going across the bridge, going past Hampton University and they are going to be going through Phoebus, an area that would be a great boon to them to have tourism coming to that area and enhance the community. You have a chance to hit three targets with one shot. So, are we going to sit back and make this valuable ship float? Or are we going to sit back and let this anchor drown us? That is the only idea I have to give you. Thank you very much.

For the benefit of the public, City Manager Bunting reminded everyone that the Clerk will read each motion to be adopted. She also clarified that three of

the items require an amendment with regard to the Wherry Quarter revision dated March 1, 2016 concerning residential uses in which the conversation we have been having about residential uses being allowed with use permit in the Wherry Quarter would be removed.

Mayor Wallace closed the Public Hearing.

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Schmidt to approve this item with the Wherry Quarter revision dated March 1, 2016 concerning residential uses.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

Zoning Ordinance Amendments - Fort Monroe

11. [16-0102](#) Ordinance To Amend And Re-Enact Chapter 1 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "General Provisions" By Amending Section 1-30 Pertaining To General Green Area Requirements

Attachments: [Red Line](#)
[PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers:

Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

12. [16-0109](#) Ordinance To Amend And Re-Enact Chapter 2 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Definitions" By Amending Section 2-2 Entitled, "Definitions" Pertaining To The Definition Of Day Spa

Attachments: [Red Line](#)
[PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Snead to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

13. [16-0110](#) Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Uses Permitted" By Amending Section 3-2 To Add The New Zoning

Districts Titled FM-1 (Fort Monroe Inner Fort), FM-2 (Fort Monroe Historic Village), FM-3 (Fort Monroe North Gate) And FM-4 (Fort Monroe Wherry Quarter) To The Use Table and Section 3-3 Pertaining To Additional Standards On Permitted Uses

Attachments: [Use Table Clean](#)
[Use Table Red Line](#)
[Text Red Line](#)
[PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Snead to approve this item with the Wherry Quarter revision dated March 1, 2016 concerning residential uses.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

14. [16-0111](#) Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Amending Article 6 - Parks and Open Space As Part Of The Adoption Of New Zoning Districts For Fort Monroe

Attachments: [Red Line](#)
[PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

15. [16-0112](#) Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Adding Article 8 - Fort Monroe Districts As Part Of The Adoption Of New Zoning Districts For Fort Monroe

Attachments: [Red Line](#)
[Staff Report](#)
[R-13 - Entire Fort](#)
[R-13 - Lower Fort](#)
[Zoning - Entire Fort](#)
[Zoning - Lower Fort](#)
[PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Schmidt to approve this item with the Wherry Quarter revision dated March 1, 2016 concerning residential

uses.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

16. [16-0113](#) Ordinance To amend And Re-Enact Article 2 Of Chapter 10 Of
The Zoning Ordinance Of The City Of Hampton, Virginia Entitled
“Supplemental Regulations In Certain Zoning Districts” By
Adding Section 10-10.1 As Part Of The Adoption Of New Zoning
Districts For Fort Monroe

Attachments: [Red Line](#)
[PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration
Manager.

Council held a joint public hearing on all of the agenda items
pertaining to Fort Monroe and there were three speakers:
Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken
on each item.

A motion was made by Vice Mayor Curtis and seconded by
Councilmember Snead to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs,
Councilmember Moffett, Councilmember Schmidt,
Councilmember Snead, Councilmember Tuck and Mayor
Wallace

Rezoning - Fort Monroe

17. [16-0114](#) Rezoning Application No. 16-00002 by the City of Hampton to
rezone 34.63± acres including the portion of LRSN 13004302
within the inner fort area, as shown on the attached map, from
One Family Residential (R-13) District to Fort Monroe Inner Fort
(FM-1) District

Attachments: [PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

18. [16-0117](#) Rezoning Application No. 16-00003 by the City of Hampton to rezone 75.3± acres including LRSNs 12001539 and 13003695, and a portion of LRSN 13003672 (the portion including but not limited to the buildings addressed as 10, 12 and 242 Stilwell Drive; 20, 30, 32, 33, 35, 41, 42, 43, 45, 53, 55, 57, 59, 60, 61, 63, 65, 66, 67, 69, 73, 75, 80, 90, 94, 96, 98, 100, 102, 104, 106, 108, 110, 130, 132, 134, 136, 138 and 140 Ingalls Road; 1, 3, 7 and 77 Frank Lane; 7, 8, 9, 10 and 12 Patch Road; 13, 15, 17, 19 and 23 Hatch Lane; 3, 5, 7, 9, 11, 13, 15, 17, 19 and 21 Moat Walk; 2, 3, 4 and 8 Ruckman Road; 30 Harrison Street; 10, 15 and 20 Whistler Lane; 5, 7, 20, 29, 33, 37, 41, 43, 47, 51, 53, 55, 57, 59, 63 and 67 Fenwick Road; and 146 and 147 Engineer Lane), a portion of LRSN 13003682 (the portion including but not limited to the buildings addressed as 102, 104, 106, 108, 112, 114, 116, 118, 120, 122, 124, 126 and 128 Ingalls Road; 1 through 8 Reeder Circle; 1 through 12 Pratt Street; and 17, 19, 21, 23, 25 and 27 Murray Street), a portion of LRSN 13003683 (the portion including but not limited to the buildings addressed as 101 and 103 Ingalls Road; 34, 36, 38 and 40 Hampton Street; and 29, 31, 33, 35 and 41 Tidball Road), a portion of LRSN

13003692 (the portion including but not limited to the building addressed as 2 Fenwick Road), and a portion of LRSN 13003696 (the portion including but not limited to the buildings addressed as 100, 102, 104 and 106 McNair Drive; 1 and 3 Fenwick Road; 13, 15, 18, 20, 22 and 24 Harrison Street; and 18, 19, 20, 22, 23, 24, 26, 28, 30, 32, 34, 36, 38 and 40 Tidball Road), as shown on the attached map, from One Family Residential (R-13) District to Fort Monroe Historic Village (FM-2) District

Attachments: [PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Schmidt to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

19. [16-0118](#) Rezoning Application No. 16-00004 by the City of Hampton to rezone 33.5± acres including a portion of LRSN 13003672 (the portion including but not limited to the buildings addressed as 55, 57 and 61 Patch Road) and a portion of LRSN 13003682 (the portion including but not limited to the buildings addressed as 102, 106 and 110 Pratt Street; 100, 102, 104, 106, 108 and 110 Eustis Lane; 318 Cornog Lane; 12 and 16 Murray Street; 21 North Gate Road; and 59 Patch Road), as shown on the attached map, from One Family Residential (R-13) District to Fort Monroe North Gate (FM-3) District

Attachments: [PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

20. [16-0119](#) Rezoning Application No. 16-00005 by the City of Hampton to rezone 26.4± acres including LRSN 13003694, a portion of LRSN 13003672 (the portion including but not limited to the buildings addressed as 81 Patch Road and 351, 355, 359, 363 and 367 Fenwick Road) and a portion of LRSN 13003682 (the approximately 1.5 acre triangular-shaped portion located at the easternmost edge of the parcel, containing a portion of the Patch Road baseball field), as shown on the attached map, from One Family Residential (R-13) District to Fort Monroe Wherry Quarter (FM-4) District

Attachments: [PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken

on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

21. [16-0120](#) Rezoning Application No. 16-00006 by the City of Hampton to rezone 336.57± acres including LRSNs 13004300, 13004301, 13003684, 13003685, 13003686, 13003687, 13003688, 13003689, 13003690, 13003691, the portion of LRSN 13004302 not within the inner fort, a portion of LRSN 13003672 (the portion which generally includes the waterfront areas of the parcel and the areas of open space as shown on the map), a portion of LRSN 13003682 (the portion which generally includes the Reeder Circle park and the open space containing the sports field between Stilwell Road and Patch Road), a portion of LRSN 13003683 (the portion which generally includes the waterfront areas along McNair Drive), a portion of LRSN 13003692 (the portion which generally includes the waterfront walkways), and a portion of LRSN 13003696 (the portion which generally includes the waterfront areas along McNair Drive and between McNair Drive and Tidball Road), as shown on the attached map, from One Family Residential (R-13) District to Parks and Open Space General (PO-1) District

Attachments: [PC Resolution](#)

Presented by Keith Cannaday, Planning & Zoning Administration Manager.

Council held a joint public hearing on all of the agenda items pertaining to Fort Monroe and there were three speakers: Sandra Canepa, Billie Einselen, and Johnnie Carroll.

While a joint public hearing occurred, individual votes were taken on each item.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Schmidt to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

GENERAL ITEMS

Ordinances

22. [16-0090](#) Ordinance to Amend and Reenact Chapter 6 of the City Code of the City of Hampton, Virginia Entitled "Bicycles" by Amending Article II, Section 6-28 to provide for exceptions to the mandatory requirement that a bicyclist use a bicycle path when one is provided.

Attachments: [Redline Chapter 6.pdf](#)

The Clerk read the title for this item

City Attorney Vanessa Valdejuli stated a citizen expressed concern to Councilwoman Schmidt that the exceptions which apply to bicyclists on the roadway do not apply when they are on a bicycle path and encounter obstructions or situations where they are forced to go off the bike path. This caused concern that bicyclists would be ticketed for doing so. She continued stating that after researching the topic, it was determined that bicyclists are allowed to go off the bike path by Code. We have added similar exceptions for those using the bike path; for example, if they encounter an obstruction, they will be allowed to go off of the bike path in order to avoid the obstruction. She thanked Councilwoman Schmidt for bringing this to our attention.

Councilwoman Schmidt thanked the citizen for bringing this to her attention.

The Mayor noted that Mr. Jay Joseph, City Advocate and Fort Monroe Authority Representative, had arrived at the meeting and asked if Mr. Joseph had any comments regarding the rezoning action taken this evening. Mr. Joseph apologized for being late to the meeting and stated this is a good process and a good plan and recommended voting in favor of it. He thanked

Council for allowing him to serve on the Fort Monroe Authority with City Manager Bunting and added that this is one of the most complex, challenging projects he has seen; however, he believes we will see the full reuse potential recognized if we stick with the plan. Thank you.

A motion was made by Councilmember Schmidt and seconded by Vice Mayor Curtis to approve this item.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

Mayor Wallace noticed Jay Joseph, appointee to the Fort Monroe Authority, and asked if he wished to speak on the Fort Monroe land use items which were just considered by Council. Mr. Joseph thanked Council for their action on these items.

Resolutions

Appointments

The Clerk read the appointments for consideration.

Ms. Bunting noted that Jason Price's current title is Lieutenant.

23. [16-0115](#) Consideration of appointments to Mayor's Committee for People with Disabilities.

Vice Mayor Curtis moved to appoint Jane Hobbs, Barbara Stewart, Lynn Lesko, Larry Townsend, Mary Fountain, Elizabeth Salter, Evelyn E. Alston, James Nieder, Kennard Dukes and Sara Ruch as a liaison to terms to expire March 31, 2020 and to appoint Ellen Shackelford, Story Smith, Jeanne Smith, Patricia Brown, LaVerne Johnson and Tammy Wright be appointed to terms to expire December 31, 2020. No second was required.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

24. [16-0124](#) Consideration of appointments to Neighborhood Commission.
Vice Mayor Curtis moved to appoint Fred Everett to his first term as District 5 representative until September 30, 2020 and Sgt. Jason Price as the police representative. No second was required.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

25. [16-0125](#) Consideration of appointments to Animal Control Advisory Committee.
Vice Mayor Curtis moved to reappoint Melanie Paul and Debbie Sheffield to their second terms until March 30, 2019. No second was required.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

26. [16-0129](#) Consideration of appointment to Virginia Air and Space Center Board.
Vice Mayor Curtis moved to appoint Judy Carr to her first term to expire on June 30, 2020.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

27. [16-0131](#) Consideration of an appointment to Peninsula Town Center Community Development Authority.
Vice Mayor Curtis moved to appoint Matt Hooker in the place of Edward Bean until March 31, 2017, and to reappoint Judy Carr and Brian Deprofio to their first full terms which will expire on March 31, 2020. No second was required.

Aye: 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

Councilwoman Schmidt reminded everyone about the “Walk Hampton Clean” event being held April 22nd and April 23rd. She also noted that April 23rd is Earth Day. She reminded everyone that the Hampton Clean City Commission (HCCC) is requesting citizens register their team at www.hampton.gov/hccc to participate in cleaning their streets to show that we are all making an effort to be responsible stewards by keeping our City clean. She added that approximately 70% of the trash on our streets goes down our drains and into our waterways; and, therefore, is another reason to keep our streets clean.

Councilman Tuck reminded everyone that April 10-16 is National Crime Victims’ Rights Week and National Volunteer Recognition Week. He also reminded everyone that April is Child Abuse Prevention Month and that many child abuse cases have been reported in Virginia and within our own community; therefore, it is important for everyone to be aware of what is taking place. He noted the blue ribbon he was wearing symbolizes child abuse prevention.

HCCC Clean City Project Assistant Chris Ausink provided each member of Council with trash bags and litter sticks to use when organizing their own teams for the Clean City project.

Ms. Ausink thanked Council for supporting the HCCC and then reminded everyone that grass, leaves, and litter are the three main impacts on our stormwater system; and, therefore, it is important to keep these items out of our waterways.

Mayor Wallace commented that during the Bethel clean-up project, he and Councilwoman Schmidt were amazed at the number of cigarette butts in the area. He expressed concern that this is detrimental to our waterways.

Councilman Hobbs added that he has participated in adopt-a-spot programs cleaning up areas along Mercury Boulevard and he was also disappointed in the number of cigarette butts found at intersections; therefore, he is excited to get a team together to pick up trash.

PUBLIC COMMENT

The Clerk read the protocol for the public comment period.

Ms. Joan Charles greeted those on the dais and made the following statement: I have a computer room full of Hampton's Black history. I have a computer room full of Fort Monroe history. Is there a more appropriate way to honor Dr. Martin Luther King Jr. than a bridge? One that does enduring justice to this great man. Perhaps we need to look no further than King Street. Back in 2009, when the subject of Martin Luther King memorial came up, the new courthouse did not exist, but it was mentioned. It does exist now and it is quite impressive. There are many bridges named in Hampton. How many people remember the names or where they are even located? The Booker T. Washington Bridge is usually referred to as the Settlers Landing Bridge. I recommend a resolution that the new circuit courthouse be named the Martin Luther King Jr. Center for Justice. There is precedence for naming Hampton courthouses for a person. One is right across the street. It is the Carmel Center for Justice. And, while we are at it, we can include naming the General District Court House for a historical figure, perhaps George Wythe. So, there on King Street, we would create the King Street Centers for Justice honoring the practitioners of the same. Behind the Circuit Court, we can take part of the old Harbor Square property and create a park with a memorial to Martin Luther King and other Hampton heroes. All of this is within the sight of two Baptist churches. As with the Mercury Boulevard Bridge, allow it to reflect all of Fort Monroe's history throughout the ages. It was built with the labor of over 500 slaves and I have their names. It saw America through many wars. Thousands of soldiers, and generals and officers all brave men, famous and not so famous, trooped through a sally port. Honor them all. Freedoms Bridge, Liberty Bridge, or just the Fort Monroe Bridge telling the tourists you are trying to attract that you are going in the right direction. Thank you.

Mr. Edward Robinson greeted those on the dais and made the following

statement: I serve as the Vice Chair of the Hampton Clean City Commission. I wanted to extend an invitation to you today to our community clean up. As you heard, the Mayor made a proclamation that from the 10th to the 16th is Volunteer week. I know you have some fresh new litter sticks; so hopefully, you can put them in action and join us in our April 15th community clean up taking place on Finley Street at 3:30 p.m. To register, send an email to hccc@hampton.gov. I think it is astounding because we have 137,000 citizens in the City of Hampton and if each one picks up 10 pieces of litter, that is 1,370,000 pieces of litter that we can remove in just one day. It is volunteer week and I think we should all be a little more proactive. Citizens, let's all be a little more proactive and get out there and celebrate Volunteer Week. Join us on the 15th and help us pick some litter at 3:30 p.m. on Finley Street. Come through and you will see us wearing our bright green vests. I look forward to seeing you.

Ms. Chris Ausink, HCCC Clean City Project Assistant, reminded everyone that every bit of help counts and that people do not have to spend hours cleaning up. She encouraged everyone that if they spend 15 minutes, a half hour or any short period of time helping with the clean-up project, it will make a difference. She agreed with Councilman Hobbs and added that one cigarette butt can contaminate two gallons of water, so picking them up makes a difference. She encouraged everyone to register for the project in order to increase the number of miles we can get clean within our City.

Mayor Wallace noted that City Manager Bunting would provide Ms. Charles with the deliberations from the committee that considered the means and methodologies of honoring Dr. King. He noted that several of Ms. Charles' concerns were addressed in that report. He thanked Ms. Charles for caring about this subject.

ADJOURNMENT

The meeting adjourned at 7:57 p.m.

George E. Wallace
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____