



# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

## Council Approved Minutes - Final City Council Legislative Session

*Mayor Donnie R. Tuck*  
*Vice Mayor Jimmy Gray*  
*Councilmember Eleanor Weston Brown*  
*Councilmember Steven L. Brown*  
*Councilmember Linda D. Curtis*  
*Councilmember W.H. "Billy" Hobbs*  
*Councilmember Chris Snead*

*STAFF: Mary Bunting, City Manager*  
*Cheran Cordell Ivery, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

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**Wednesday, January 9, 2019**

**6:30 PM**

**Council Chambers**

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### CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:31 p.m. with all members of the City Council present.

**Present:** 7 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Linda D. Curtis, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

### DONNIE R. TUCK PRESIDED

### INVOCATION - Councilmember Steven Brown

Councilman Brown gave the invocation.

### PLEDGE OF ALLEGIANCE TO FLAG

### MAYOR'S COMMENTS

Mayor Tuck shared the following information about the upcoming dedication of the Martin Luther King, Jr., and Hampton Heroes Memorial Plaza:

On Monday, Jan. 21, we will unveil a new memorial.

The Martin Luther King Jr., and Hampton Heroes Memorial Plaza will pay tribute to the national civil rights leader, as well as to people who worked for civil rights and social justice in Hampton.

Dr. King preached love, modeled nonviolence, and demanded justice on a scale that changed the lives of people throughout our country, including Hampton. He also challenged us, saying, in Montgomery, Alabama in 1957, "Life's most persistent and urgent question is, 'What are you doing for others?'" "

The Hampton Heroes Plaza honors those who embodied that spirit of doing for others, of changing the landscape of this City to become more just, loving and kind. Our heroes escaped bonds, broke ceilings, shattered barriers and opened doors. They provided education, fair housing opportunities, legal defense, jobs, and income. They helped level the playing field. They led by example. They made Hampton a better place, and in many cases, their influence was felt well beyond the City. This is a living memorial, with new chapters and stories to be added in future years. Some took place centuries ago. Some are yet to be written.

Any change or social movement requires the contributions of many people. Just as Dr. King did not stand alone, we recognize that many individuals have shaped Hampton in ways large and small. Some of these came before Dr. King, others were influential during the same era, and still others followed in his footsteps later. You will note that those who shaped our community came from all walks of life: men, women, rich, poor, old, young, black, white, people of many different faiths and backgrounds. Yet, they united to make positive, lasting changes to our community.

These men and women are among the most influential individuals documented in each of these areas of history-making social change. In this inaugural year of the Hampton Heroes, we will tell four stories of pivotal times in Hampton's history - and some of the most influential people:

#### 2019 Hampton Heroes

**Contrabands: Enslaved Journey to Freedom.** These are some of the people whose lives are intertwined with a radical decision to treat those who escaped to Fort Monroe during the Civil War as "contraband." That decision led to the escapees' freedom and the formation of a new society: Frank Baker, Shepard Mallory, James Townsend, Maj. Gen. Benjamin F. Butler, James A. Fields, George Washington Fields, Mary S. Peake, William Roscoe Davis and Gerri L. Hollins.

**Hidden Figures:** Hidden Figures refers to the African-American women who broke barriers to work as mathematicians, or human computers, and ensure U.S. success in aeronautics and space exploration. These are some of those women, and others central to that story: Katherine G. Johnson, Mary W. Jackson, Dr. Christine M. Darden, Dorothy J. Vaughan, Miriam D. Mann, T. Melvin Butler and Margot Lee Shetterly.

Public School Integration: In contrast to many other Southern cities of the time, Hampton moved deliberately, albeit slowly, to desegregate the City's public schools. These men and women played key roles in that effort: Senator Hunter B. Andrews, C. Alton Lindsay, Dr. Jerome H. Holland, Robert A. Rice, Delegate Dr. Mary T. Christian, Mary E. Johnson and William M. Cooper.

Founding Hampton Institute: After the Civil War, a "normal" or teacher training school was set up on the grounds of a former plantation to educate freedmen. Key players in the past and future of Hampton University include: General Samuel C. Armstrong, Rev. George Whipple, Rev. Lewis C. Lockwood, Booker T. Washington and Robert Russa Moton.

Join us on Monday, Jan. 21, at 1 p.m. outside the Hampton Roads Convention Center, for the dedication of this memorial and a tribute to our first Hampton Heroes.

Mayor Tuck also recognized Pastor Michael Golden, Jr., of Greater Emmanuel Temple Cogie and Don Holloman, spokesman for the Auto Dealers Christmas Party, for their work to provide gifts to children in need each year. This has been taking place for 42 years. Both honorees gave remarks and were presented with a City of Hampton coin.

Finally, the Mayor also recognized this year's youth football champions. DeRocke Croom, Athletic Program Coordinator, introduced the following City champions:

Mighty Mites - Tyler Tigers: President Nathaniel Anthony, Commissioner Kenisha Jefferson, Football Commissioner Linda Anthony, and Coaches Carl Jones, D'Edward Hodge and Alex Booker.

Midgets - Y.H. Thomas Buccaneers: Commissioner Sabrina Golden-Williams, Coaches James Vinnie, Ralph White, Aliyah Washington, Kyndrellius Valentine, Jaylen Long, and Adtian Johnson, and Team Moms Michele Vinnie and Nisha Chandler.

Intermediates - Y.H. Thomas Buccaneers: Commissioner Sabrina Golden-Williams, Coaches Purvis "BJ" Tillery, Andre Purnell, Darrius Cobb, Donald Martian, Deonta Griffin, and Marquese Garriss, and Team Moms Diane Witaker and Latoya

Forte.

Juniors - East Coast Ravens: Commissioner Theodore "Teddy" Rainey, and Coaches Ivan Robinson, Jaquon Tolliver and Devon Jenkins.

The City Manager, Mary Bunting, commended DeRocke Croom for the great work he has done with the athletic leagues.

## 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 Councilmember Curtis, seconded by Councilmember Hobbs, to approve the Consent Agenda. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

1. [18-0302](#) Consideration of appointments to Hampton Employees Retirement System Board (HERS)  
Item deferred to the City Council Office due back on 2/27/2019.  
**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
2. [19-0008](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 21, Motor Vehicles and Traffic, Article IV Entitled, "Operation of Vehicles - Generally" Pertaining to Distracted Driving Through Use of a Handheld Personal Communications Device  
**Attachments:** [Distracted Driving Ordinance 10.29.18 - redline](#)  
Item approved.

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

3. [19-0010](#) Resolution Authorizing the Transfer From the City of Hampton to the Economic Development Authority of the City of Hampton, a Parcel in the Phoebus Area, LRSN: 12001326 Known as 111 Howard Street

**Attachments:** [Deed of Gift - 111 Howard Street.doc](#)

Item approved.

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

4. [19-0024](#) Approval of the minutes from the work sessions of November 14, 2018, and December 12, 2018.

Item approved.

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

## **PRESENTATIONS, PROCLAMATIONS, AWARDS**

## **PUBLIC HEARINGS**

The Clerk read the protocol for public hearings including the protocol for public hearings related to land use items.

## **Rezoning, Use Permits, and Ordinances**

### **Staff Presentation and Public Hearing - Items 5 and 6**

5. [19-0006](#) Rezoning Application No. 18-00008: by Mary T. Christian on behalf of the Barrett-Peake Heritage Foundation to Rezone Property at 123 E. Pembroke Avenue [LRSN: 2003496] from Multiple Residential [R-M] District with Proffered Conditions to One Family Residential (R-4) District

Attachments: [Application](#)  
[Narrative Statement](#)  
[No Proffer Statement](#)  
[Survey](#)  
[Legal Description](#)  
[Corporate Resolution](#)  
[Staff Report](#)  
[Presentation](#)  
[PC Resolution](#)

The Clerk read the title for this item and the next item on the agenda.

City Planner Corey Block stated that the request is to rezone the property to a single family R-4 district and apply for a use permit for a community center. She also provided information about the application including site location, history (previously a private club for colored women who gathered for educational and cultural activities), proposed purpose (restoration of the site to continue its legacy and provide an educational and cultural center for all), zoning, conditions, rezoning, proffers, restoration of the residence, and staff considerations. She also spoke about the Future Land Use Plan and the Hampton Community Plan as it relates to this application.

Ms. Block stated that staff and the Planning Commission recommend approval of the rezoning application and the use permit application with ten conditions. She noted that the applicant was present and then opened the floor for questions and comments from those on the dais. No questions or comments were posed.

#### PUBLIC HEARING:

Mayor Tuck opened the Public Hearing. As there were no speakers, he closed the public hearing and called for the motion.

A joint presentation on items #5 and 6 was given by Corey Block, City Planner. A motion was made by Councilmember Eleanor Weston Brown and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

6. [19-0007](#) Use Permit Application No. 18-00011 by Mary T. Christian to Permit a Community Center Use for the Barrett Peake Educational and Community Center at 123 E. Pembroke Avenue [LRSN: 2003496]

**Attachments:** [Conditions](#)  
[Application](#)  
[Narrative](#)  
[Survey](#)  
[Site Plan](#)  
[Floor Plan](#)  
[Elevations](#)  
[Corporate Resolution](#)  
[Staff Report](#)  
[Presentation](#)  
[Letters of Support](#)  
[PC Resolution](#)

This item was handled simultaneously with item #5 #19-0006.

PUBLIC HEARING:

Mayor Tuck opened the Public Hearing. As there were no speakers, he closed the public hearing and called for the motion.

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Chris Snead, that this Use Permit be approved with ten (10) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

**Staff Presentation and Public Hearing - Item 7**

7. [19-0004](#) Use Permit Application No. 18-00007 by Colonial Downs Group, LLC to Permit an Amusement Center for an Indoor Off-Track Betting Horse Racing Facility at 1990 to 1996 Power Plant Parkway [LRSN 13001056, portion]

Attachments: [Conditions\\_Redlines](#)  
[Design Standards](#)  
[Application Form](#)  
[Narrative Statement](#)  
[Concept Plan](#)  
[Floor Plan](#)  
[Color Elevations](#)  
[Black-White Elevations](#)  
[Traffic Impact Analysis](#)  
[TIA Appendix](#)  
[Staff Report + Condition](#)  
[Letter of Support](#)  
[Presentation - staff](#)  
[Presentation - applicant](#)  
[PC Resolution](#)

The Clerk read the title for this item.

Senior City Planner Tolu Ibikunle stated that the request is for a use permit for an amusement center to allow an off-track betting (OTB) facility. The applicant's proposal is a direct result of changes made to the State law during the 2018 General Assembly Session in House Bill 1609 and new Virginia Racing Commission regulations.

Ms. Ibikunle shared information about the application including subject property location, proposal information, site renovations, venue amenities and zoning. She also shared information about the Future Land Use Plan, the Hampton Community Plan and the Coliseum Central Master Plan as they relate to the application.

Ms. Ibikunle spoke about community feedback and engagement. The applicant held two community meetings in an attempt to obtain input from stakeholders; however, no members of the public attended the meetings. The applicant also worked with the Coliseum Central BID Board to ensure that their concerns were addressed.

Ms. Ibikunle shared some of the conditions associated with the application and explained that based on staff's analysis of the proposal, this is consistent with the City's public policies to promote economic development, tourism and entertainment to make land use decisions that are compatible with the surrounding area. She added that staff and the Planning Commission recommend approval of the use permit application with 17 conditions with an amendment to condition #9 to allow hours of operation from 8 a.m. to 2 a.m. daily. She then opened the floor for



questions from those on the dais. No questions were posed.

Mr. Steven A. Meade of Patten, Wornom, Hatten and Diamonstein Law Firm spoke on behalf of the applicant. He thanked City staff for their hard work and noted that the firm has also worked closely with the Coliseum Central Bid (on security issues), Hampton's Police Department and the Commissioner of the Revenue. He announced that there is no City funding request or contribution associated with the application. He added that a traffic study determined that no major changes are needed to the streets or traffic signals and the applicant has agreed to restripe an existing exit out of the parking lot. He stated that if Council approves the request including the hours of operation presented by Ms. Ibikunle, their plan is to hire off-duty Police Officers for hours when the facility is open after midnight. Mr. Meade opened the floor for questions from those on the dais. No questions were posed.

Chief Operating Officer for Peninsula Pacific Entertainment/Colonial Downs Group, Mr. Aaron Gomes, provided an overview of the company. He also provided information about projects, security at gaming establishments, responsible gaming (age requirements), employee training, licensing, economic impact, visitors, jobs, and tax revenue.

In response to Mayor Tuck, Mr. Gomes stated that peak times are typically 8 p.m. to midnight on Friday and Saturday.

At Mayor Tuck's request, Mr. Gomes spoke about the mechanisms of the horse race slot machine.

In response to Vice Mayor Gray and Councilman Brown, Mr. Gomes clarified that there will be approximately one million visits to the location; the average visitor will make about 10 visits per year; and the average visitor will spend approximately \$50 per visit.

Mr. Gomes opened the floor for questions from those on the dais. No additional questions were posed.

#### **PUBLIC HEARING:**

Mayor Tuck opened the Public Hearing. As there were no speakers, he closed the public hearing and called for the motion.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Snead, that this Use Permit be approved with seventeen (17) conditions with an amendment to staff-recommended condition number nine (9) to allow hours

of operation from 8 a.m. to 2 a.m. daily. The motion was first read without the staff-recommended condition amendment and then re-read in its entirety. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

**Staff Presentation and Public Hearing - Items 8, 9, and 10**

8. [19-0013](#) Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Uses Permitted" By Amending Section 3-3 Pertaining to Additional Standards For Live Entertainment

**Attachments:** [LE Additional Standards - Redline](#)  
[LE Presentation DRAFT 20181226](#)  
[PC Resolution](#)

The Clerk noted that there will be one public hearing for items 8, 9 and 10; however, each item requires a separate vote. She then read the titles for items 8, 9 and 10.

City Manager Mary Bunting announced that these are a series of amendments which are reflective of staff's work in attempting to ensure our Zoning and City Codes are as business friendly as possible. She applauded staff for working to find ways to be successful in this area.

Planning and Zoning Division Manager Michael Hayes provided information about changes being made to live entertainment in the City.

Mr. Hayes defined live entertainment as any artistic, musical or theatrical performance, including karaoke, open mic, bands, DJ's, comedians and dance permitted in conjunction with a restaurant, microbrewery, distillery or winery. He explained that the City divides live entertainment into two groups: live entertainment 1 (lighter version) and live entertainment 2. He then shared some of the characteristics of current live entertainment 1 and 2 versus what is being proposed for live entertainment 1 and 2.

Mr. Hayes noted that the same things that apply to other districts in the City will be applied to the Coliseum Central District.

Mr. Hayes shared key elements and changes about the amendment related to

parking, parking requirements and shared parking agreements.

Mayor Tuck inquired about the consequences (City enforcement power) a party will face if they do not provide the 90 day notice to terminate a parking agreement.

City Attorney Cheran Cordell-Ivery clarified that there should be an agreement between parties who share the parking area; however, the 90 day notice is a City requirement.

Deputy City Attorney Bonnie Brown stated that the City would not approve off-site parking until reviewing the agreement which would require notice. She continued explaining that if the City determines that the parking is no longer available, and the party did not provide the 90 day notice, the party would be in violation of the Zoning Ordinance and the City would use the appropriate enforcement mechanisms.

Ms. Bunting added that the 90 day notice provides an opportunity for all parties involved to find another parking arrangement.

Mr. Hayes stated staff and the Planning Commission recommend approval of all three items.

Vice Mayor Gray thanked staff for the work they did on these ordinances and for making the process easier for businesses in our community.

#### PUBLIC HEARING:

Mayor Tuck opened the Public Hearing. As there were no speakers, he closed the public hearing and called for the motion.

A joint presentation on items #8 through #10 was given by Mike Hayes, Planning and Zoning Division Manager. Cheran Ivery, City Attorney; Bonnie Brown, Deputy City Attorney; and Mary Bunting, City Manager provided additional information.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

9. [19-0014](#) Ordinance To Amend And Reenact Chapter 9 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Overlay Districts" By Amending Article 3 - Coliseum Central Overlay To Redefine Live Entertainment 1 and Live Entertainment 2

**Attachments:** [Redline](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #8 19-0013.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

10. [19-0017](#) Ordinance To Amend And Reenact Chapter 11 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Parking" By Amending Section 11-2 Pertaining To Parking Spaces Required And Section 11-8 Parking Credits, Exemptions, And Reductions As A Part Of Redefining Operational Characteristics Of Live Entertainment 1 & 2

**Attachments:** [Referenced Parking Table](#)  
[Redline](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #8 19-0013.

A motion was made by Councilmember Steven Brown seconded by Councilmember Chris Snead, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

#### Staff Presentation and Public Hearing - Item 11

11. [19-0003](#) Use Permit Application No. 18-00012 by Bowman's Soul-N-The Wall to Permit Live Entertainment 2 in Conjunction with a Restaurant at 1899 N Armistead Avenue [LRSN 7001182]

**Attachments:** [Conditions Redline](#)  
[Application](#)  
[Applicant's Narrative](#)  
[Floor Plan](#)  
[Staff Report + Conditions](#)  
[Presentation](#)  
[PC Resolution](#)

Senior City Planner Tolu Ibikunle provided general information regarding the application including site location; zoning; information about the Future Land Use Plan, the Hampton Community Plan and the Coliseum Central Master Plan as they relate to this application; a community meeting held October 23, 2018; and conditions associated with the application.

Ms. Ibikunle noted that the amended live entertainment hours are from Sunday - Thursday 11 a.m. to 12:00 a.m. and Friday-Saturday 11:00 a.m. to 2:00 am.

Ms. Ibikunle stated staff and the Planning Commission recommend approval of this use permit application with 12 conditions with an amendment to staff recommended condition #3 to allow hours of operation as shown above.

Ms. Ibikunle opened the floor for questions from those on the dais and noted that the applicant was present. No questions were posed.

#### PUBLIC HEARING:

Mayor Tuck opened the Public Hearing. As there were no speakers, he closed the public hearing and called for the motion.

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Billy Hobbs, that this Use Permit be approved with twelve (12) conditions, with an amendment to staff recommended condition number three (3) to allow hours of operation from Sunday through Thursday: 11 a.m. - 12 a.m. and Friday and Saturday 11 a.m. - 2 a.m. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

**Staff Presentation and Public Hearing - Items 12 through 20**

12. [19-0011](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 1, Section 1-30 Entitled "General Green Area Requirements" To Add PH-2 To The List of Zoning Districts Exempt From The Ten Percent Green Area Requirement

**Attachments:** [Redline](#)  
[Presentation Note](#)  
[PC Resolution](#)

The Clerk noted that there will be one public hearing for items 12-20; however, each item requires a separate vote. She then read the titles for items 12-20.

Following a five minute recess, Ms. Bunting explained that these are improvements to the Zoning Ordinance and regulations being made in response to recent experiences with businesses.

Planning and Zoning Division Manager Michael Hayes provided information about the improvements referenced by the City Manager. He explained that the purpose of this effort is to separate zoning within the Phoebus area from one district, Phoebus Urban Core (PH-1), into three districts - Phoebus Urban Core (PH-1), Phoebus Town District (PH-2) and Phoebus Commercial Transition District (PH-3).

Mr. Hayes stated the purpose for these changes is to promote appropriate mixed-use development within the core of Phoebus as promoted by the Phoebus Master Plan and is the vision of the community for that area.

Mr. Hayes shared the design principles which are key to developing the ordinance for Phoebus. He also listed the requirements/standards associated with each district. He noted that these elements can be varied through the Use Permit process which would require the submittal of an application, proving that someone will achieve the intent of the master plan, and receiving approval from the Planning Commission and City Council to assure the policies are continuing to be achieved.

Mr. Hayes provided the following additional information associated with the Zoning Ordinance Amendments: PH-2 and PH-3 have been added to the Use Table. PH-1

and PH-2 will maintain the same standards regarding green area, while PH-3 will include suburban development. Signage has been amended to add PH-2 and PH-3 - the same signage standards that currently exist will continue to exist. Parking regulations are being tweaked.

Mr. Hayes stated staff and the Planning Commission recommend approval of the Zoning Amendments and the Rezoning which exist for the purpose of putting PH-2 and PH-3 on the ground.

Mayor Tuck called for questions or comments from those on the dais. No questions or comments were brought forward.

**PUBLIC HEARING:**

Mayor Tuck opened the Public Hearing. As there were no speakers, he closed the public hearing and called for the motions.

A joint presentation on items #12 through #20 was given by Mike Hayes, Planning and Zoning Division Manager.

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

13. [19-0012](#) Ordinance To Amend And Reenact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Uses Permitted" By Amending Sections 3-2 and 3-3 To Recodify The Use Table by Separating Standard Base Districts From Special Districts, Adding The New Zoning Districts Entitled Phoebus Town District (PH-2) And Phoebus Commercial Transition District (PH-3) To the Use Table, and Amending Section 3-3 Pertaining to Additional Standards On Permitted Uses Applicable To the PH-2 and PH-3 Districts

**Attachments:** [Redline](#)

[Table of Uses Permitted in Standard Zoning Districts](#)

[Table of Uses Permitted in Special Zoning Districts](#)

[Presentation Note](#)

[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

14. [19-0015](#) Ordinance To Amend And Reenact Chapter 8, Article 7 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Amending Article 7 Entitled "Phoebus Districts" By Amending PH-1 - Phoebus Business District

**Attachments:** [Redline](#)

[Presentation](#)

[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

15. [19-0016](#) Ordinance To Amend And Reenact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Amending Article 7 Entitled "Phoebus Districts" By Adding A New District Entitled "PH-2 - Phoebus Town District"

**Attachments:** [Redline](#)

[Presentation Note](#)

[PC Resolution](#)



This item was handled simultaneously with item #12 19-0011.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

16. [19-0018](#) Ordinance To Amend And Reenact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Amending Article 7 Entitled "Phoebus Districts" By Adding "PH-3 - Phoebus Commercial Transition District"

**Attachments:** [Redline](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

17. [19-0019](#) Ordinance To Amend And Reenact Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Signs" By Amending Article 2, Sections 10-18, 10-31, 10-32, 10-33 To Adopt New Regulations For Signs In The New PH-2 And PH-3 Zoning Districts

**Attachments:** [Redline](#)  
[Table of Freestanding Signage Permitted](#)  
[Table of Temporary Signage Permitted](#)  
[Table of Wall Signage Permitted](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

18. [19-0020](#) Ordinance To Amend And Re-Enact Chapter 11 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Parking" By Amending Section 11-8 Pertaining To Parking Credits, Exemptions And Reductions As Part Of The Adoption Of New Zoning Districts For The Commercial District Of The Phoebus Neighborhood

Attachments: [Redline](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

19. [19-0021](#) Rezoning Application No. 18-00009 by the City of Hampton to rezone 28.3+ acres including LRSNs 12001987, 12001338, 12001997, 12001326, 12001991, 12001145, 12001356, 12001157, 12001996, 12001335, 12001342, 12001967, 12001354, 12001999, 12001509, 12001337, 12001130, 12001520, 12001994, 12001521, 12001339, 12008745, 12001968, 12001340, 12001148, 12001512, 12001993, 12001992, 12001358, 12001519, 12001420, 12001421, 12001419, 12001341, 12001355, 12001511, 12001357, 12001966, 12001140, 12001162, 12001985, 12001418, 12001976, 13000219, 12001123, 12001131, 12001138,

12001995, 12001979, 12001408, 12001352, 12001139, 12002000, 12001346, 12001981, 12001986, 12002001, 12001517, 12001982, 12001969, 12001973, 12001970, 12001984, 12001972, 12001974, 12001983, 12001975, 12001161, 12001146, 12001518, 12001998, 12001143, 12001434, 12001409, 12001971, 12001124, 13004530 from Phoebus Business (PH-1) District, Limited Commercial (C-2) District, and Heavy Manufacturing (M-3) District to Phoebus Town (PH-2) District

**Attachments:** [Map of Current District](#)  
[Map of New District](#)  
[Included Properties PH-2](#)  
[Staff Report](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

- 20.**     [19-0022](#)     Rezoning Application No. 18-00010 by the City of Hampton to Rezone 11.3+ Acres including LRSNs 12001732, 12001661, 12001453, 12001454, 12001611, 12001452, 12001456, 12002019, 12001704, 12001536, 12001507, 12001508 from Phoebus Business (PH-1) District to Phoebus Commercial Transition (PH-3) District

**Attachments:** [Map of Current District](#)  
[Map of Proposed Districts](#)  
[Included Properties](#)  
[Staff Report](#)  
[Presentation Note](#)  
[PC Resolution](#)

This item was handled simultaneously with item #12 19-0011.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Zoning Ordinance - Map be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

## **PUBLIC COMMENT**

The Clerk read the protocol for the public comment period.

Ms. Paula Perry greeted those on the dais and made the following statement: I am here in regards to Patrick Street where they paved Patrick Street, Thomas Street, and Willnew Drive, but they didn't do the upper end of Patrick Street. I was wondering about it but then they built the houses on Owen Street and that end of Patrick Street never gets developed as far as the street being paved. We only have two drainage sections in that area over by Y. H. Thomas when you first come in on Thomas Street, there is no other drainage. When it rains, it's really bad. I have pictures here from just this past rain where they dug when they built the houses on Owen Street - I have a pool basically, and this has not been a good rain this past week. Also, within that, I wanted to know if they are going to be putting any more drains in the area and curbs because there are no curbs back there or anything. The drainage is really bad when it rains. And also, the second matter: the houses that they are building now on Owen Street, I don't understand why some of the residents may be on fixed incomes - the taxes are going to be going up much higher because of these mansions as opposed to the smaller houses. I look at that as an issue. I do have pictures to show the drainage especially where I am getting stuck in my own yard having to back in because of the water sitting in the streets.

Mayor Tuck thanked Ms. Perry for her comments and suggested she speak to Interim Public Works Director Jason Mitchell (who was in attendance) about the drainage issue. He also addressed her other concerns. He stated that higher value housing brings more people into neighborhoods which helps lift the neighborhood as opposed to having numerous vacancies. He also informed Ms. Perry about the City's program for people who are on fixed incomes where real estate taxes can be frozen (no increases due to other construction taking place in that neighborhood).

Ms. Bunting shared some information about the home assessment process and noted that she would have an assessor contact Ms. Perry to provide a complete explanation of that process.

Ms. Vanessa Moore greeted those on the dais and made the following statement: I'm with Custom Properties, LLC. We are a residential developer and builder. We are building the houses she (Ms. Perry) just talked about on Owen Street. We are actually here to talk about widening Owen Street because we are building homes there and it has become a problem. I'm sure the trucks that are going up and down that street are not used to having residents there. I will do the who, what, why, where and how. The "what" is the widening of the streets. The "where" is Owen Street. Owen Street is right across from Y. H. Thomas - the Community Center there where the football players were playing today. The "how" is, of course, the City has easements in front of all the homes on that street. The "why" is, of course, that it is too narrow. Right now, we have garbage trucks and other trucks and Fed Ex trucks - when they are trying to get up that street, if anyone is parked on the street, they have a problem - you have to move. Also, to turn around, they actually are driving into the yards that we are developing and that obviously is a really big problem because it is hard for us to beautify that after they have driven into those yards. The new driveways - they are using those now to back up into to make their job a little bit easier to maneuver up and down that street. Homeowners are moving in starting the end of this month. So, they are going to have the same issue of trying to keep their yards nice while trucks are driving and trying to maneuver and do their job as well. Of course, it is going to be higher occupancy. Of course, it is a much bigger tax base as she spoke of. It is probably ten times what it was when it was just lots. So, that will be income to the City and as a result, we would really, really, really need that street to be widened and sidewalks would be amazing. That's it. That's my three minutes.

Mayor Tuck thanked Ms. Moore for attending the meeting and for making the investment in that community. He suggested that she, too, speak with Interim Public Works Director Jason Mitchell for guidance.

Ms. Bunting noted that staff will take these concerns under advisement.

## **GENERAL ITEMS**

### **REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES**

There were no reports.

### **MISCELLANEOUS NEW BUSINESS**

There was no new business.

## **ADJOURNMENT**

The meeting adjourned at 8:35 p.m.

**Contact Info:**  
**Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)**

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Donnie R. Tuck  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

Date approved by Council \_\_\_\_\_