



CITY OF COLONIAL HEIGHTS, VIRGINIA
MEETING OF THE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMISSION
Tuesday, June 6, 2017

I. Call to Order: 7:00 p.m.

Mr. Townes called the meeting to order at 7:00 p.m.

II. Roll Call

Present:

Mr. Green
Mrs. Hamilton
Mr. Hartson
Mr. Kohan
Mr. Kollman
Mrs. Schiff
Mr. Townes

Absent:

None

Also Present:

Dr. Davis
Mr. Smith
Mr. Flippen
Mr. Fisher

III. Determination of Quorum

A quorum was determined.

IV. Approval of Agenda

Mr. Green made a motion to approve the agenda as presented, Mrs. Schiff seconded the motion with all commissioners in favor.

V. Approval of Minutes for May 2, 2017 meeting

Mr. Green moved for approval of the minutes as presented, Mr. Kohan seconded the motion. All Commissioners were in favor with no additions or deletions.

Mr. Kollman read declaration of personal interest for Ordinance 17-4.

VI. Hearing of Citizens Generally

None

VII. Public Hearings

A. **Recommending to approve or disapprove to City Council Ordinance No. 16-29 - to amend and reordain §§ 286-200, 286-518.04, 286-518.05, and 286-530.24 of Chapter 286 of the Colonial Heights City Code, relating to the parking or storage of recreational vehicles, campers, commercial vehicles, utility trailers, boats, and tractor-trailers in certain zoning districts.**

Dr. Davis provided the Commission with a brief summary related to their original recommendation to City Council of Ordinance No. 16-18 in May 2016 to the ordinance being considered, Ordinance No. 16-29. The Commission was presented three options; to approve the Ordinance 16-29 as written, to recommend to Council to disapprove the Ordinance, or to recommend disapproval with recommended changes.

The following citizens spoke during the public hearing and their comments are summarized for the minutes.

Mr. Hayward Gray, resident of 219 Spring Drive, asked the Commission to reconsider Section A which prohibits truck tractors. He asked the Commission to consider adding tractor in Section B, to follow the same rules as other types of vehicles.

Ms. Bonnie Davis, resident of 3242 Jersey Court, approached the Commission to recommend the Commission disapprove Ordinance 16-29. She stated reasons why large commercial vehicles should not be allowed in residential districts and the negative ramifications of allowing certain recreational vehicles to be parked in certain areas of the yard in residential districts.

Mr. Michael Woody, resident of 2619 Bent Oaks Drive, stated his desire to keep neighborhoods uniform and pleasant. The solution for long term stability of the City is to keep the ordinance as it currently stands. He urged the Commission to vote against the proposed Ordinance.

Mr. Dave Hoopsick, resident of 401 Dupuy Avenue, approached the Commission. He stated that on Dupuy Avenue a few commercial vehicles and utility trailers are parked for working people. He stated that the proposed Ordinance is fair and the current legislation punishes working people for doing their job.

Mrs. Christy Archileti, resident of 919 Azalea Lane, spoke before the Commission. She stated that she has owned a wrecker service for 27 years. She has enlarged and improved her driveway to keep vehicles off the street and on her property. As an on-call service that lives in the City, she only has a 15 minute response time so she must have access to her vehicles. She state that the proposed Ordinance is affecting small businesses.

Mrs. Mary Kay Hatton, resident of 3243 Jersey Court, approached the Commission to speak in opposition to Ordinance No. 16-29. She stated that the issue of parking campers, wreckers, and other vehicles listed in the ordinance in driveways in front of the house is not about individual residents or about the types of businesses they own. The issue is about the appearance of our neighborhoods and property values and that these vehicles do not belong in residential areas.

Dr. Wayne Browder, resident of 1317 Oakwood Drive, posed questions to the Commission considering where most recreational vehicles and boats in question are registered, how most businesses have to meet off-street parking requirements, and whether home occupations are abiding by the rules.

Mr. Michael Doren, resident of 301 Norwood Drive, stated that there is a difference between commercial vehicles and boats/recreational vehicles based on time of operation. Restricting the size of vehicles will greatly improve our neighborhoods.

Mr. Tom Crockett, resident of 307 Norwood Drive, spoke in opposition of the ordinance to the Commission. He questioned how some of these businesses operate out of their homes. He continued that standards are necessary, similarly to a military base, where he stated nobody keeps recreational vehicle or boats at their homes, sometimes allowable for loading and unloading. These forts are beautifully maintained due to restrictions.

Mr. Derward Rollison, resident of 503 Moorman Avenue, stated that business owners should park vehicles on private property because of lack of parking space on street. He continued that if a wrecker service can't respond, they will not receive repeat business, and the Commission needs to come up with a more reasonable solution.

The following are summarized comments from members of the planning commission after the conclusion of the citizen comment period of the public hearing.

Mrs. Hamilton stated that she is an advocate for strong neighborhoods and believes the proposed Ordinance will have a detrimental impact on aesthetic quality within our neighborhoods. She continued that complicated societies require regulations and that residing in a city is communal living; that no home or property is an island unto itself. Each law effects the overall fabric of the neighborhood; the closer proximity, the greater the impact. Throughout the City, there are small cottages, bungalows and ranchers residing on small lots. Large recreational vehicles and boats dwarf these structures. The proposed Ordinance will diminish property values, in which a majority of the City's neighborhoods are challenged by serious problems already. Large commercial vehicles are incompatible with the residential character of a neighborhood. Residential zoning and commercial zoning should not commingle. The Commission has focused on developing ideas and programs to revitalize neighborhoods, such as a residential tax abatement program. This proposed Ordinance would be inconsistent with that stated objective.

Mrs. Schiff stated that the City consists of more than 7,000 residences with a majority of lot frontages ranging from 50'-75', concluding that what our neighbors do affects all of us. She considered the majority opinion that the Ordinance is detrimental to residents.

Mr. Green appreciated the expression of each opinion, but seems there is confusion over the topic. He stated multiple clarifications, including that one commercial vehicle per lot will be allowed in the side or rear yard, due to current Ordinance's inability to enforce the weight of the vehicle. In terms of recreational vehicles, the discussion revolves around shielding from view. As a homeowner and Councilperson, it makes sense to store multiple non-motorized vehicles in the rear yard, but his concern is that not all properties are large enough for this provision. The solution provided is that one vehicle is allowed in the front of house only if a hard surface driveway exists, which encourages home improvement. The motivation is that families like to do activities together, including boating and camping, and he would like to encourage that. The minority need to be accommodated.

Mr. Hartson stated that it is not an accident that a military fort looks nice, and similar to a home association should be enforced similarly, not by the government. In the 100 best places to buy a house in Virginia, Colonial Heights was not included.

Mr. Hartson moved to approve Resolution 17-3B to recommend the disapproval of Ordinance 16-29, Mrs. Schiff seconded the motion.

Vote: 6-1

Yes:

Mrs. Hamilton
Mr. Hartson
Mr. Kohan
Mr. Kollman
Mrs. Schiff
Mr. Townes

No:

Mr. Green

Abstained: None

Motion: PASS

Mr. Townes thanked the members of the audience and urged those to continue the civil dialogue, which is the only way this City will maintain its quality of life.

B. Planning Commission Resolution 17-4 – recommends Ordinance No. 17-24 to City Council - to grant a special use permit to Precision Cell to allow for a 160-foot flush-mount monopole communications tower, a 6-foot lightning rod at the top of the tower, and a 2,213 square foot compound at the base of the tower for the placement of radio communications equipment; to be located on City property adjacent to the tennis courts on Lake Avenue at Springdale Avenue (Parcel ID No. 08000100010).

Dr. Davis summarized the staff report provided in the meeting packet by explaining existing zoning, land use, and the City's Comprehensive Plan in relation to the parcel under consideration and adjacent parcels.

Mr. McAvoy, President of Precision Cell, spoke before the Commission. He stated that his team is proposing a four carrier monopole flush mounted antennas with no large platform. He presented a propagation map to the Commission, which highlights coverage, with this tower filling in the marginal zones. He explained that the proximity of the new tower to the five closest towers is an average of 1.7 miles. Precision Cell is encouraging colocation and searching for carriers to join Verizon's commitment. In the attempt to locate here to benefit the community, Precision Cell wanted to target City-owned property to provide revenue back to the City. There is also the ability for the placement of the City's communication services to address critical needs on this tower.

Mr. Fisher clarified that the City will have the right under a lease to attach to the tower, which came from a request of the City's Fire Chief, which was agreed upon.

Dr. Davis reiterated that this is one of the least obtrusive places for this tower. He also pointed out that the Virginia General Assembly has been studying and contemplating legislation that would lessen the ability of localities to regulate wireless towers through zoning ordinances.

Mr. Kohan asked whether Verizon is committed.

Mr. McAvoy stated that they will not construct the tower until one provider has officially signed, but Verizon has committed to signing a lease.

Mrs. Hamilton visited the area and had a hard time determining the exact location. The park was bustling with people swimming and fishing. It is a beautiful area and asset and not unobtrusive to her.

Mr. Hartson stated that this is not unobtrusive, but the grid is obtrusive and it would be a benefit to homeowners.

Mrs. Hamilton stated that she is leery of cell towers because of radiation, including the health and safety aspects, and the staff report does not address that at all. Studies also state that towers diminish property values.

Mr. Fisher stated the reality is that the Virginia legislature is going to deregulate monopolies. Precision Cell could choose to locate in a much more intrusive environment. Federal law already states that localities cannot restrict internet providers and have to offer same terms to each provider.

Mr. Green stated that this shows great foresight and providing service while it's still available to us.

Mr. Hartson moved to approve Resolution 17-4, Mr. Kohan seconded the motion.

Vote: 7-0

Yes:

Mr. Green
Mrs. Hamilton
Mr. Hartson
Mr. Kohan
Mr. Kollman
Mrs. Schiff
Mr. Townes

No: None

Abstained: None

Motion: UNANIMOUS PASS

VIII. Plans of Development - Site Plan /Subdivision

A. Preliminary Site Plan

1. PD-17-4 – proposed development of a 160-foot flush-mount monopole communications tower, a 6-foot lightning rod at the top of the tower, a 2,213 square foot compound at the base of the tower for the placement of radio communications equipment, and an access driveway.

Dr. Davis stated that the drawings are very detailed. There have been very few corrections at this point.

Mr. Green moved to approve PD-17-4, Mrs. Schiff seconded the motion.

Vote: 7-0

Yes:

Mr. Green
Mrs. Hamilton
Mr. Hartson
Mr. Kohan
Mr. Kollman
Mrs. Schiff
Mr. Townes

No: None

Abstained: None

Motion: UNANIMOUS PASS

IX. Old Business

A. Economic Development Update

Mrs. Epps shared her pleasure to be presenting before the Commission. She stated that as a member of Petersburg Area Regional Tourism (PART), the City participates and provide a list of regional events from June to November. She shared a brochure from the Metro Richmond Exports Initiative which was developed based on a study conducted by Virginia Commonwealth University and a partnership between Virginia's Gateway Region and the Greater Richmond Partnership, two regional economic development organizations. The Initiative is providing training to assist businesses learn about Exports, including going through customs. The department will host a session on June 20 and welcome business owners and individuals to attend and participate.

She updated the Commission that the proposed Discount Tire has started construction. Additionally, Southside Regional Medical Center (SRMC) is developing an urgent care facility on a neighboring site. Longhorn Steakhouse is building a location at Southpark Mall, which is a great asset for the City. Publix is scheduled to open in October. She

stated that she has been working with a realtor on the former JCPenney Homestore location and a lease is in place and a contractor will be obtaining a building permit for a tenant up-fit. New restaurants include Zzaam and Chicken Fiesta which will open by the end of the summer. The Delfort Group is renovating a building on site and is moving its corporate headquarters to Colonial Heights, which sends a message that the City is a great place to do business. Walgreens on the Boulevard is attempting to sell the property to as close to \$4 million as possible. The Economic Development Authority, who are some great volunteers that are engaged, will be involved in a project in the next few months.

Mrs. Hamilton asked about new activity on the Boulevard and Dr. Davis confirmed that there has been an interest in Whataburger property.

Mrs. Schiff asked about Mrs. Epps role in seeking developers.

Mrs. Epps stated that she has been in contact with developers and realtors throughout the United States through meetings at the International Council of Shopping Centers, several specific developers in Texas expressed interest.

Mr. Kohan asked about interest in the Martins Service Station and the removal of the tanks.

Mrs. Epps responded that a party is not interested in keeping the site as a gas station, but Martins still owns the property at this time.

Mrs. Schiff stated that Big Lots is leaving for Hopewell. She continued that Colonial Square Shopping Center has stood the test of time and she wishes the mall would take the same interest in landscaping as Colonial Square.

Mrs. Hamilton replied that the City needs to speak with corporate headquarters.

Mr. Green refuted that the mall has its hands full keeping vendors in place.

Mr. Townes exclaimed that the Urban Land Institute has found that the mall has lasted twice as long as its projected lifetime. He continued that he cannot believe how often malls nationwide refinance and most often, malls have problems leasing space, which leads to profit level declines and reach the point where less focus is spent on maintaining the outer portion. Every day that Southpark Mall is in operation is a blessing and every time a resident shops outside of Colonial Heights, they are taking their tax dollar elsewhere.

Mr. Townes thanked Mrs. Epps for her report.

**X. New Business/Reports
Reports**

1. Chairman
None

2. Director of Planning and Community Development – Dr. Davis

Dr. Davis stated that a preliminary site plan was filed for the July meeting. He asked the

Chairman to consider moving the approved July regular meeting date, Thursday, July 6, to Monday, July 10. There will only be one item.

All Commissioners were in favor.

3. City Engineer or Designee – Asst. Director of Public Works – Mr. Flippen
None

4. Others, as necessary or appropriate

a. City Manager – Mr. Smith

Mr. Smith informed the Commission that the draft environmental assessment related to the Tri-Cities Multimodal station was submitted. He quoted an excerpt from the letter, the City agreeing with items in executive summary and confirming the Boulevard location as the preferred alternative. There were approximately 50 responses during the 30 day comment period, as well as a petition with a large number of signatures.

b. City Attorney – Mr. Fisher

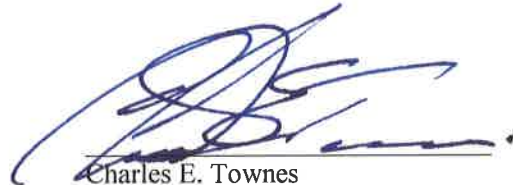
Mr. Fisher stated that construction of the improvements on Dupuy Avenue will be starting this fall. The City is engaged and has filed six to seven petitions of condemnation along Dupuy Avenue that are in progress.

XI. Adjournment

Mrs. Schiff moved to adjourn the meeting, Mr. Kollman seconded with all Commissioners in favor. The meeting was adjourned at 8:47 P.M.



C. Scott Davis, LP.D.
Secretary



Charles E. Townes
Chairman