

AT THE WORK SESSION OF THE HAMPTON PLANNING COMMISSION HELD IN THE LAWSON CONFERENCE ROOM, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, JANUARY 16, 2020 AT 3:00 P.M.

Chairman Carole Garrison called the meeting to order at 3:02 p.m. A call of the roll noted Commissioners Trina Coleman, Ruthann Kellum, Tommy Southall, Steven Bond, and Chairman Garrison as being present. Commissioner Steven Brown and Vice-Chair Christopher Carter were noted as absent. Staff in attendance were Secretary to the Commission/Director of Community Development Terry O'Neill, Deputy City Attorney Bonnie Brown, Planning & Zoning Administration Manager Michael Hayes, Zoning Administrator Hannah Sabo, City Planner Frank Glover, and Recording Secretary/Senior Administrative Assistant Kristie Graves.

The Commission and staff discussed the following information:

Welcome to New Planning Commissioner: Assistant City Manager Steven Bond will be representing the City Manager's Office on the Planning Commission.

Work Session Information: The purpose of the Work Session is the opportunity for questions and/or clarification of agenda items or materials. The Commission takes no action during the Work Session although it is open for the public to attend.

Change in Agenda Order: Four items were advertised for the public hearing for this meeting; three of the public hearing items need to be deferred to the February meeting. The Planning Commission will need to take action in the form of a motion and vote to defer each of the three items individually. With no objection from the Planning Commission, staff would like to change the order of public items on the agenda, and move Item B. Use Permit Application No. 19-00012 by Vui Nguyen to permit vehicle storage to the last public hearing item on the agenda.

Resolution to Adopt 2020 Meeting Schedule: Virginia State statute requires the Planning Commission to publish the dates and times of the regular meetings of the Planning Commission by adoption of a resolution. In the event of hazardous weather conditions or other factors that do not allow the Planning Commission to meet on a regular meeting date, items on the canceled meeting can be automatically moved to the next regular meeting, and the public knows what the Planning Commission meeting schedule is in advance. The resolution has to be approved by the Planning Commission. There is no presentation for the meeting resolutions; the draft resolution is in the Planning Commission package.

Use Permit Application No. 19-00012: by Vui Nguyen to permit vehicle storage at 199 E Mercury Boulevard. There is opposition from the public for the application. The property currently has an active day care operating out of the building. The property owner was cited by the City for operating a vehicle storage facility in violation of the Zoning Ordinance. Further enforcement action related to the vehicle storage use is pending the outcome of this case. If City Council denies the application, the City will pursue the violation. If the Planning Commission decides to recommend approval, staff recommends a set of eleven (11) conditions be attached. If Council denies the application, the applicant must wait one year before applying again for a similar use. If Council denies the application, the applicant has thirty (30) days to appeal the ruling to the Circuit Court. In appeal, the applicant must show that City Council failed to use appropriate criteria in making their decision.

City Council has staff conducting a comprehensive review of the codes and ordinances under which the vehicle storage use operates. The Business License Code states that a business license will not be issued if a business does not comply with zoning, once the enforcement process establishes that a use is not permitted. Planning Commission members continued discussion on permitted uses, non-conforming uses, and enforcement.

Work session adjourned at 3:28 P.M.

AT THE REGULAR MEETING AND PUBLIC HEARING OF THE HAMPTON PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, JANUARY 16, 2020 AT 3:30 P.M.

I. CALL TO ORDER

Chairman Carole Garrison called the meeting to order at 3:30 P.M. Ms. Garrison welcomed Assistant City Manager Steven Bond to the Planning Commission. Mr. Bond will be representing the City Manager's Office on the Planning Commission.

II. ROLL CALL

A call of the roll noted Commissioners Trina Coleman, Ruthann Kellum, Tommy Southall, Steven Brown, Steven Bond, and Chairman Carole Garrison as being present. Vice-Chair Christopher Carter was noted as absent. Staff in attendance were Secretary to the Commission/Director of Community Development Terry O'Neill, Deputy City Attorney Bonnie Brown, Planning & Zoning Administration Manager Michael Hayes, Zoning Administrator Hannah Sabo, City Planner Frank Glover, Senior Youth Planner Will Klotz, Junior Youth Planner Maia Patterson, and Recording Secretary/Senior Administrative Assistant Kristie Graves.

III. MINUTES – DECEMBER 19, 2019 WORK SESSION & PUBLIC MEETING

A motion was made by Commissioner Ruthann Kellum and seconded by Commissioner Tommy Southall to approve the minutes of the December 19, 2019 Work Session and Planning Commission meeting.

A roll call vote on the motion resulted as follows:

AYES:	Coleman, Kellum, Southall, Brown, Bond
NAYS:	None
ABSTAIN:	Garrison
ABSENT:	Carter

Chairman Carole Garrison abstained from voting because she was not present at the December 19, 2019 Planning Commission meeting.

The approved minutes reflect minor changes to the resolutions for Use Permit Application No. 19-00011, Use Permit Application No. 19-00010, and Zoning Ordinance Amendment No. 19-00011 that were part of the City Council package, which was adopted on January 8, 2020.

IV. RESOLUTION TO ADOPT 2019 PLANNING COMMISSION MEETING SCHEDULE

The Planning Commission approved the following resolution:

WHEREAS: Virginia Code section 15.2-2214 requires the Planning Commission to fix the time for holding regular meetings by resolution and to publish such resolution in a newspaper having general circulation in the locality at least seven (7) days prior to the first meeting held pursuant to the adopted schedule;

WHEREAS: Accordingly, the Planning Commission desires to set a schedule of regular meetings for calendar year 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Hampton Planning Commission:

1. The Planning Commission shall hold its regular meetings at 3:30 p.m. on the third Thursday of each month and its work session meetings at 3:00 p.m. on the third Thursday of each month immediately preceding the regular meeting. All meetings shall be held in Hampton City Hall unless otherwise designated by the Secretary to the Commission.
2. Pursuant to this schedule, the calendar year 2020 regular meeting dates for the Planning Commission shall be: February 20, March 19, April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 19, and December 17, 2020.
3. In the event that there is no business to come before the Commission on a regular meeting date, the Secretary to the Commission shall notify the Chair of such fact and the Chair may cancel the meeting and notify the Commission members and the press as promptly as possible.
4. In the event that weather or other conditions are such that it is hazardous for Commission members to attend a regular meeting, the Chair may cancel the meeting and notify the Commission members and the press as promptly as possible. All hearings and other matters advertised for such meeting shall be conducted at the next regular monthly meeting and no further advertisement shall be required.

A motion was made by Commissioner Trina Coleman and seconded by Commissioner Ruthann Kellum to approve the resolution to adopt the 2020 Planning Commission regular meeting schedule.

A roll call vote on the motion resulted as follows:

AYES:	Coleman, Kellum, Southall, Brown, Bond, Garrison
NAYS:	None
ABST:	None
ABSENT:	Carter

V. PUBLIC HEARING ITEMS

Chairman Garrison noted that three of the four public hearing items for the meeting are recommended for deferral to the February 20, 2020 Planning Commission meeting. There will be a change in the order of the public hearing items on the agenda, to vote on the deferred public hearing items first.

Secretary O'Neill read the key points of the Hampton Planning Commission Public Hearing/Comment.

Mr. O'Neill read the public hearing notice on the three (3) agenda items to be deferred to the February 20, 2020 Planning Commission meeting.

A. RZ 19-00005 – STM PROPERTIES, INC, 2135 W PEMBROKE AVENUE, [LRSN: 1003830], GENERAL COMMERCIAL DISTRICT (C-3) TO ONE FAMILY RESIDENTIAL DISTRICT (R-9)

Rezoning Application No. 19-00005. This is a rezoning application by STM Properties, Inc. to rezone ±0.32 acres located at **2135 W Pembroke Avenue [LRSN: 1003830]**. The application is to rezone the property from General Commercial (C-3) to One Family Residential (R-9) District. Approval of this application would permit a single-family home to be built on the lot. The Hampton Community Plan (2006, as amended) recommends low density residential use for this site.

Staff requests that Rezoning Application No. 19-00005 be deferred to the February 20, 2020 Planning Commission meeting.

A motion was made by Commissioner Steven Bond and seconded by Commissioner Trina Coleman to defer Rezoning Application No. 19-00005 to the February 20, 2020 Planning Commission meeting.

A roll call vote on the motion resulted as follows:

AYES: Coleman, Kellum, Southall, Brown, Bond, Garrison
NAYS: None
ABST: None
ABSENT: Carter

B. ZOA 19-00012 – CITY OF HAMPTON, AMEND AND RE-ENACT CHAPTER 2, SECTION 2-2 “DEFINITIONS”, ADD BUSINESS PARK/SHOPPING CENTER 1 AND BUSINESS PARK/SHOPPING CENTER 2

Zoning Ordinance Amendment No. 19-00012. This is a proposal by the City of Hampton To Amend And Re-Enact Chapter 2 Section 2-2 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Definitions” To Add Definitions for Business Park/Shopping Center 1 and Business Park/Shopping Center 2. The purpose of the definitions is to distinguish between two types of business park/shopping centers: Business park/shopping center 1 is a business park/shopping center located on less than 20 contiguous acres; and Business park/shopping center 2 is a business park/shopping center comprising three (3) or more establishments, and located on 20 contiguous acres or greater. This item is being brought forward in conjunction with Zoning Ordinance Amendment 19-00013.

Staff requests that Zoning Ordinance Amendment No. 19-00012 be deferred to the February 20, 2020 Planning Commission meeting.

A motion was made by Commissioner Steven Brown and seconded by Commissioner Ruthann Kellum to defer Zoning Ordinance Amendment No. 19-00012 to the February 20, 2020 Planning Commission meeting.

A roll call vote on the motion resulted as follows:

AYES: Coleman, Kellum, Southall, Brown, Bond, Garrison
NAYS: None
ABST: None
ABSENT: Carter

C. ZOA 19-00013 – CITY OF HAMPTON, AMEND AND RE-ENACT CHAPTER 10, “SIGNS”, AMEND ARTICLE 1, SECTION 10-8, OFF-PREMISES ADVERTISING SIGNS; SECTION 10-9, SIGNAGE EXEMPT FROM REGULATION; AND ARTICLE 2, SECTION 10-13, O-CC DISTRICT SIGN REGULATIONS

Zoning Ordinance Amendment No. 19-00013. This is a proposal by the City of Hampton To Amend And Re-Enact Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Signs” By Amending Article 1, Section 10-8, Off-Premises Advertising Signs; Section 10-9, Signage Exempt from Regulation; and Article 2, Section 10-13, O-CC District Sign Regulations. The purpose of these amendments is to provide additional signage and greater flexibility in signage through an incentive based approach for properties generally within the Coliseum Central Overlay (O-CC) District and specifically for Business Park/Shopping Centers. This item is proposed in conjunction with Zoning Ordinance Amendment 19-00012.

Staff requests that Zoning Ordinance Amendment No. 19-00013 be deferred to the February 20, 2020 Planning Commission meeting.

A motion was made by Commissioner Ruthann Kellum and seconded by Commissioner Steven Bond to defer Zoning Ordinance Amendment No. 19-00013 to the February 20, 2020 Planning Commission meeting.

A roll call vote on the motion resulted as follows:

AYES: Coleman, Kellum, Southall, Brown, Bond, Garrison
NAYS: None
ABST: None
ABSENT: Carter

D. UP 19-00012 – VUI NGUYEN, 199 E MERCURY BOULEVARD [LRSN: 12003535], VEHICLE STORAGE

Use Permit Application No. 19-00012. This is a use permit application by Vui Nguyen to permit vehicle storage at **199 E Mercury Boulevard [LRSN: 12003535]**. The property is currently zoned General Commercial (C-3) District which allows for vehicle storage with an approved use permit. The Hampton Community Plan (2006, as amended) recommends low density residential for this site.

Planning & Zoning Administration Manager Michael Hayes presented the staff report on the subject application, a copy of which is attached to the original minutes. He stated that staff recommends denial of Use Permit Application No. 19-00012. However, if the Planning Commission decides to recommend approval, staff recommends eleven (11) conditions which address location, screening and buffering, storing of vehicles, lighting, and maintaining a ledger. Mr. Hayes added that the applicant was available to answer questions regarding the matter.

In response to questions from Commissioner Brown, Mr. Hayes responded that the property is currently in violation of the Zoning Ordinance for operating a vehicle storage facility. If the use permit was approved the limit for vehicle storage is sixty (60) days, but there is no limitation on the number of vehicles. Mr. Hayes stated that he would need to calculate how many vehicles would fit based on the square footage of the area. The vehicle storage would be for damaged vehicles.

In response to a question from Commissioner Coleman, Mr. Hayes stated that the vehicle storage would be used as additional storage for a nearby related business. The related business tows vehicles that have been damaged or are inoperable.

In response to a question from Commissioner Brown, Mr. Hayes explained that the applicant is currently under violation because they began storing vehicles prior to obtaining an approved use permit.

Secretary O'Neill further explained that once an applicant is cited, they are given an opportunity to correct the violation. While the application is in the approval process, the City delays enforcement related to the use pending the outcome of the application. If the use is approved, the violation is removed. If it is not approved, the City proceeds with the enforcement process.

In response to a question from Commissioner Kellum, Mr. Hayes responded that the applicant runs a repair business on a neighboring property. The repairs do not occur on the subject property. The two businesses are related; although, the property could be sold or leased and used for a storage business if the use permit was approved. The use permit is not directly tied to a business on another property. Vehicle repair is permitted in the C-3 District as a by-right use, and vehicles that are being repaired can be stored on that property.

In response to questions from Commissioner Southall, Deputy City Attorney Bonnie Brown stated that the City has interpreted the sixty (60) day vehicle storage limitation to be consecutive and not cumulative days. If the vehicle was removed from the property for a time period and then returned, the sixty (60) day count would restart. Secretary O'Neill responded that a vehicle could be stored on a lot indefinitely if it is removed from the property for short time, and then returned. Mr. O'Neill added that enforcement of vehicle storage is a challenge. One of the use permit conditions required the applicant to maintain a ledger containing all vehicles stored, and the date which storage begins and ends.

In response to questions from Chairman Garrison, Ms. Brown stated that if the City had knowledge of a violation or probable cause, the condition language would state that the ledger could be requested at that time. If the ledger were not turned over at that time, the owner would be in violation of the particular condition. Mr. Hayes stated that chain link fencing is prohibited. In residential districts, the fence height limit is six (6) feet. He added that the Planning Commission has the authority to add or modify conditions as they see fit.

In response to a question from Commissioner Brown, Mr. Hayes responded that the stacking of vehicles is not prohibited on the subject property. The vehicles are inoperable and some may not be driven off of the property.

In response to a question from Commissioner Coleman, Mr. Hayes stated that the proposed conditions do not include a set of hours for moving vehicles on and off the lot. Proposed hours are a typical condition that can be recommended by the Planning Commission if the use permit is approved.

In response to a statement from Commissioner Coleman, Mr. Hayes explained that with similar tow yards, the office hours may be limited but the operating hours are not.

In response to a previous question from Commissioner Brown, Ms. Brown clarified that the proposed Condition #3c states that vehicles cannot be stacked or stored above the required fence. If the Planning Commission were to approve the use permit and set a fence height, the applicant would be required to comply with the condition. The Commission could also set a condition that required the applicant to park all vehicles at ground level and not stack vehicles.

Commissioner Bond noted that the applicant's narrative seems to imply that there is a business relationship with the neighboring vehicle repair business. Mr. Hayes further explained that the use permit is for vehicle storage on the particular site and does not link it to only being used by that business on another property.

In response to a question from Commissioner Southall, the use permit is attached to the property. If the current owner sold the property, the use permit remains in effect.

Tri Nguyen, 5 Sutton Place, represents the applicant's business at 199 E. Mercury Boulevard.

In response to questions from Commissioner Kellum, Mr. Nguyen stated that the timeframe to process abandoned vehicles is thirty (30) days. After thirty (30) days, an application to claim the title can be submitted to the state. The vehicle is then repaired and sold, donated, or scrapped. Mr. Nguyen repairs vehicles and is also an automotive dealer. Some vehicles are stored on the lot until repair, and some vehicles on the lot have been abandoned. A vehicle cannot be sold or scrapped without a title. The State's process to receive a title takes thirty (30) days. Mr. Nguyen stated that he needs a storage lot for that reason. He stated that he receives many of the vehicles from the City towing. The vehicles are sold through Mr. Nguyen's automotive business near the subject property.

In response to questions from Commissioner Brown, Mr. Nguyen subleases his property at 211 E. Mercury Boulevard to a tow company. The tow company is a vendor with the City of Hampton. Vehicles that have been in accidents on Interstate 64 are also towed to Mr. Nguyen's property at 211 E. Mercury Boulevard. That location is in the process of being expanded but is currently too small. He plans to sell the vehicles currently on the property. Mr. Nguyen added that City staff informed him that C-3 zoning allows vehicle repair, and he was planning on applying for a use permit but did not have the funds at that time. The average time a vehicle stays on the property after being towed is seven (7) days. Vehicles that are considered a total loss by an insurance company are on the property a few days before they are towed away to auction. Vehicle owners are charged a daily fee for vehicle storage.

In response to questions from Commissioner Southall, Mr. Nguyen responded that the three (3) foot wire fence shown on the survey is no longer there. The property currently has a wooden fence with a gate. The fence is recessed from Mercury Boulevard. The fence line begins at the corner of the day care and does not interfere with the right-of-way. The tow trucks can either pull in or back in. If the use permit was approved, Mr. Nguyen would use gravel millings or crusher run for the improved surface because it absorbs water well.

In response to a question from Chairman Garrison, Mr. Nguyen stated that the asphalt shown in the picture in the staff presentation has been spread on the property. He would add the crusher run on top of the asphalt to improve the surface.

In response to a question from Commissioner Brown, Mr. Nguyen answered that he believes there are twenty (20) vehicles currently stored on his property.

In response to questions from Chairman Garrison, Mr. Hayes responded that the applicant can have as many vehicles stored on the property as can fit, unless the Planning Commission creates a condition. Vehicle storage is not like a parking lot where there is a standard drive aisle. Mr. Nguyen stated that his lot could store between thirty (30) to fifty (50) vehicles. He added that previously he would not do anything with the vehicles if the owners could not afford to repair or secure their vehicle, but he is not running out of space for the vehicles.

In response to a question from Commissioner Coleman, Mr. Nguyen stated the design would allow him to move vehicles out without having to shuffle them around.

In response to a question from Chairman Garrison, Mr. Nguyen responded that the day care on the property is his father's business. Ms. Garrison shared her concerns about the safety of the children being picked up and dropped off with the tow trucks entering and exiting the property. Mr. Nguyen responded that there would not be vehicles parked in front of the fence, and that there is area where the day care vehicles can drive in that can be fenced off for safety. The vehicle storage would not interfere with the day care. Mr. Nguyen did not have a community meeting.

Billy Wood, owner of Wood's Orchard at 183 E. Mercury Boulevard, is opposed to the use permit application. Mercury Boulevard is a thoroughfare through Hampton and can only be improved with high end places of business. Mr. Wood feels that the vehicle storage is a junk yard. He does not believe it is a benefit to the City of Hampton to have the type of business operating on Mercury Boulevard. Mr. Wood stated that the only entrance that he sees Mr. Nguyen use is through the day care parking lot to enter the lot. Mr. Wood added that if the City were going to grow and improve, it would be beneficial to have high-end businesses or developments at that end of Mercury Boulevard.

In response to a question from Commissioner Kellum, Mr. Nguyen stated that the Little Tin Soldiers Day care is currently in operation and the day care operators are aware of his plans for vehicle storage on the property. The property is owned by Mr. Nguyen.

In response to a question from Commissioner Brown, Mr. Hayes answered that the applicant did not host a community meeting.

Cliff Rowe, owner of Countryside Gardens and Mercury Mulch at 220 E. Mercury Boulevard, is opposed to the use permit application. Mr. Rowe stated that there are enough low-end business at that end of Mercury Boulevard. He is in negotiations to sell his property and having a vehicle storage business nearby is not good for re-sale value.

David Rosser, owner of Mercury Self Storage at 185 E. Mercury Boulevard and 197 E. Mercury Boulevard, is opposed to the use permit application. Mr. Rosser stated that he and his neighbors called the City complaining about the property not having a fence to screen the vehicles, and that there are numerous vehicles parked outside the fence. Mr. Rosser shared concerns with flooding that occurs on his property, and showed the Planning Commissioners pictures of the property.

The applicant, Vui Nguyen, 5 Sutton Place, is the owner of the property and business at 199. E. Mercury Boulevard. Mr. Nguyen stated that the traffic Mr. Rosser is speaking of is from Elite Auto, which is the business next to his business. There are separate entrances for the day care and vehicle storage lot. Mr. Nguyen stated that he and his son talked with Zoning and thought they were allowed to store vehicles because of the C-3 zoning. They did not know they were in violation.

In response to a question from Chairman Garrison, Secretary O'Neill stated that there are certain uses that are allowed by-right in C-3 Zoning without an approved use permit. Vehicle repair is one of those uses; vehicle storage is not. The violation the applicant received is for vehicle storage, not vehicle repair.

In response to questions from Chairman Garrison, Mr. Nguyen stated that the day care owners are not concerned about the vehicle storage on the property. He and his son asked the day care owner. Mr. Nguyen stated that the auto body repair shop on the adjacent property looks worse than his property. His son transfers the vehicles from the auto repair shop to the vehicle storage lot for pick up by the customers or the tow trucks. He allows some customers to make payments on the vehicle repairs if they are unable to pay the balance at one time. Neither of his two (2) business have any record of violations or problems with the City.

In response to questions from Commissioner Kellum, Mr. Tri Nguyen explained that not only would his businesses be impacted by denial of the use permit; the auto body repair shop he subleases to would be affected as well. Mr. Nguyen added that he was never made aware of the flooding problem on the neighboring properties. He stated that when he received the violation notice, he stopped working on the vehicle storage. He is not aware of competing businesses in the area.

In response to questions from Commissioner Southall, Mr. Nguyen responded that the average turnaround time for vehicle mechanical repairs is no longer than one (1) week, and vehicle body repairs can take up to one (1) month. Vehicles are coming in to his business faster than others can be fixed because there are no competing businesses in the area. Mr. Southall stated that he was concerned with enforcement of the vehicle storage lot. Mr. Nguyen stated that he would be filing paperwork to receive the titles for the abandoned vehicles he currently has on his lot. Some of the vehicles will be repaired and sold on his nearby automotive lot.

In response to a question from Commissioner Coleman, Mr. Nguyen stated that the majority of vehicles from the auto body repair shop that he works with are covered under insurance claims. The vehicles on the storage lot belong to his business and the auto body repair shop. Mr. Nguyen will be subleasing vehicle storage to the auto body repair shop.

Chairman Garrison stated that she is voting against the use permit because the area is inappropriate for a vehicle storage lot. She feels that the business will have negative effects on people moving into the area and businesses in the area. She is also concerned with the flooding in the area. Ms. Garrison also added that having a vehicle storage lot at a gateway to the City is not compatible with the Master Plan. She appreciated his business but felt that another location would be more appropriate.

Commissioner Southall stated that he is voting against the use permit because he is concerned about the safety of the children being brought in to the day care. There is no separation between the day care and the vehicle storage lot. Mr. Southall stated that he

advocated for the previous owner of the vehicle lot, who went through great efforts to remain harmonious with the neighbors. Mr. Nguyen reiterated that he was not aware of the flooding problems because the adjacent businesses do not flood.

Commissioner Brown stated that he is voting against the use permit because aesthetically vehicle storage does not fit in the footprint of that area of Hampton. He is concerned that the vehicle storage will ultimately become a salvage yard. Mr. Brown commented that the surrounding businesses have operated over one hundred years, and they are all against the use. He also noted that Mr. Nguyen was not forthcoming with the related businesses.

Commissioner Bond stated that he is voting against the use permit and shared in the concerns of the other Commissioners. He added that his chief concern is the citizen input on the community expectations in the Hampton Community Plan, 2006, as amended. He admired Mr. Nguyen's business and hoped he would be able to find a more appropriate location for the business to flourish.

Commissioner Kellum stated that she is voting against the use permit because she did not feel comfortable approving the use. She thanked Mr. Nguyen for being willing to answer questions and the public speakers from the community for voicing their opinions. She thanked Mr. Nguyen for having his business.

Commissioner Coleman stated that she is voting against the use permit. She commended Mr. Nguyen for trying to expand his business. She also did not feel the Mr. Nguyen was forthcoming with all of the facts of his business.

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

- WHEREAS: the Hampton Planning Commission has before it this day Use Permit Application No. 19-00012 by Vui Nguyen to permit vehicle storage at 199 E Mercury Boulevard [LRSN 12003535];
- WHEREAS: this application was initiated after the City of Hampton cited the property owner for conducting vehicle storage without an approved use permit;
- WHEREAS: a day care currently operates in the building on this site;
- WHEREAS: the subject property is zoned C-3, General Commercial District, which permits vehicle storage with an approved use permit;
- WHEREAS: in the City of Hampton's zoning ordinance, vehicle storage area is defined as any premises or space exposed to the weather used for the storage of towed, abandoned, or damaged vehicles for up to sixty (60) days.
- WHEREAS: the Hampton Community Plan (2006, as amended) recommends low density residential land use for this site;
- WHEREAS: the Hampton Community Plan further recognizes East Mercury Boulevard as a residential corridor with commercial nodes, and the Plan recognizes the importance of such a corridor as a gateway to surrounding residential neighborhoods,

WHEREAS: Mercury Boulevard connects Fort Monroe, Phoebus, and Coliseum Central; and

WHEREAS: three members of the public spoke in opposition of the application.

NOW, THEREFORE, on a motion by Commissioner Tommy Southall and seconded by Commissioner Ruthann Kellum,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council denial of Use Permit Application No. 19-00012.

A roll call vote on the motion resulted as follows:

AYES:	Coleman, Kellum, Southall, Brown, Bond, Garrison
NAYS:	None
ABST:	None
ABSENT:	Carter

VI. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

A. YOUTH PLANNER PRESENTATION

Senior Youth Planner Will Klotz presented the Youth Planner Report for the month of December. The three committees of the Hampton Youth Commission (HYC) have worked hard to complete the deadlines set forth in the work plans.

On December 16th, the Grants Committee held a public hearing to approve five (5) grant-funding applications. The grant applications totaled \$10,250. The next step is writing the contracts, so the funds can be disbursed to the applicants to implement their projects.

The Youth Voice Committee has been planning and designing this year's HYC Candidates Forum. The Committee has secured the Hampton Roads Convention Center. They are currently developing strategies to market the Forum to the City's youth, through the schools and community centers. The Candidates Forum will be held in March.

The Youth Master Plan Update Committee continued to gather data received from surveys. The final surveys have closed. The Committee began analyzing data from the past two surveys that have been completed. This information will be used in drafting the Youth Master Plan update document.

February HYC meetings:

- General – February 3, February 17
- Executive Committee – February 4, February 18
- Committee – February 10, February 24

The Commission will continue working on their Committee work plans. The Grants Committee will continue developing the contracts for the grant recipients. Further information will be shared at the February Planning Commission meeting.

More information on the grant recipients is below:

- Youth In Government – \$1,600
 - Government workshop program for 8th grade students
 - Develop workshop
 - Purchase supplies
- Bethel High Student Council Association – \$1,900
 - First responder's breakfast
 - Special needs Valentine's Day dance
- Hampton High Junior ROTC – \$1,750
 - Military ball
 - School beautification project assisting janitorial staff
- Hampton High Junior Class of 2021 – \$2,500
 - Student college prep program
 - Clothes closet for business attire
- Hampton High K-Pop – \$2,500
 - Cultural fair

In response to a question from Commissioner Kellum, Mr. Klotz responded that K-pop is a form of music from Korea; he believes K-pop stands for Korean pop.

In response to a question from Commission Coleman, Mr. Klotz stated that the Committee did not approve one (1) grant. Most of the grants were from Hampton High School, and one grant was for Bethel High School.

VII. ITEMS BY THE PUBLIC

There were no items by the public.

VIII. MATTERS BY THE COMMISSION

Commissioner Brown extended thoughts and prayers to Planning Commission Vice-Chair Christopher Carter on the loss of his nephew.

Chairman Garrison shared that the Parks, Recreation, and Leisure Services Department is updating its master plan. On January 28th, at 6:30 p.m. – 8 p.m., they will be presenting their findings from surveys and community meetings. This is a great opportunity for the community to find out what is going on in the City.

In response to a question from Chairman Garrison, Secretary O'Neill updated the Planning Commission on the Resilient Hampton Initiative. The community meeting was held on Tuesday, January 14th at the Hampton Roads Convention Center. There were approximately 70 attendees. The community meeting mainly focused on the neighborhoods immediately adjacent to Newmarket Creek. The citizens affected were positive and encouraged by the projects that the City is proposing. The Resilient Hampton projects will be presented to City Council at the January 22nd meeting for approval to move forward with design and construction. The funds have already been appropriated by City Council.

Commission Kellum stated that she attended the Resilient Hampton community meeting. She commented on the different stations, designs and citizen suggestions from those neighborhoods.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:33 P.M.

Respectfully Submitted,



Terry O'Neill
Secretary to the Commission

APPROVED BY:



Carole Garrison
Chairman