

MINUTES OF WORK SESSION
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
May 23, 2006
4:30 P.M.

PRESENT: Herbert H. Bateman, Jr.; Joe S. Frank; William F. Haskins; Madeline McMillan; Sharon P. Scott; Joseph C. Whitaker; and Charles C. Allen -- 7

ABSENT: None ----- 0

OTHERS PRESENT: Randy W. Hildebrandt; Stuart E. Katz; Mabel V. Washington; Neil Morgan; William P. Mitchell; Iza Cieszynski; Butch Blanks; Allen Jackson; Florence Kingston; LaVerne Lovett; John Hartman; Al Riutort; Sheila McAllister; Ray Suttle, Jr.; Seth Freedland; Lottie Vincent; Cleder Jones; and Jennifer Walker

I. Discussion about City Council Summer Meeting Schedule

Mayor Frank stated historically City Council canceled its second meeting in the months of July and August to accommodate vacation schedules. He indicated that Councilman Bateman inquired about rescheduling the August 8, 2006 meeting to August 22, 2006, due to an out-of-town commitment. Mayor Frank inquired whether City Council was amendable to the request.

Councilwoman McMillan felt vacation plans had already been set for the last week in August due to the Labor Day weekend.

City Manager Hildebrandt suggested rescheduling the August 8 meeting to August 15, 2006. He felt it would not be a good idea to go as long as 45 days between the July and August Council meetings.

Vice Mayor Allen stated City Council planned their vacations ahead of time in light of the ongoing cancellation policy. He felt it would be difficult for City Council to change their schedules.

City Council concurred with continuing the ongoing cancellation policy by canceling the City Council meetings of July 24, and August 22, 2006.

II. Oasis Radio Network Tower

Mr. Randy Hildebrandt, City Manager, referred to a memorandum to City Council dated May 18, 2006, regarding the Oasis Radio Network Tower (copy attached to these minutes). He recommended that City Council at its June 13 regular meeting continue the public hearing on the Oasis Radio Network Tower's application to

the July 11, 2006 meeting. He stated staff desired to defer the matter to the July 11, 2006 City Council meeting due to the delay in engaging a consultant to perform a technical study.

Councilwoman McMillan inquired whether the City was working to find an alternate location for the tower. City Manager Hildebrandt replied the City had not been looking at other sites. He explained the consultant would re-evaluate the GAT site to determine whether there were technical problems with the site from the City's perspective along with any other concerns.

Councilman Bateman was concerned about the location and noted the Airport Commission voted against the construction of the tower.

Mayor Frank reminded City Council of their vote, at their regular meeting of March 14, 2006, to defer the Oasis Tower application to the June 13, 2006 regular meeting. He explained, by law, they were required to act on the matter at the June 13, 2006 meeting, and at the time could defer the application to the July 11, 2006 regular meeting of City Council.

City Council concurred with the recommendation of the City Manager to defer the Oasis Network Tower application to its regular meeting of July 11, 2006.

III. Sign Ordinance

Ms. Sheila McAllister, Assistant Director, Department of Planning, stated the Planned Development Flexibility Option was an amendment to the sign ordinance that would allow certain elements and facilities to apply for a sign package. (A copy of the proposed ordinance is attached and made a part of these minutes.) She explained developments that would be able to apply included mixed-use developments with 50 acres or more; neo-traditional developments; hotel conference centers with at least 150 speaking rooms and 50,000 square feet of conference space; medical center complexes; and museums with a minimum of 50,000 square feet of display area. The option allowed developers to request signage that went beyond what the prior sign ordinance allowed with an option for off-premises signs. Off-premises signage was an added feature for developments that did not have frontage on major corridors to identify themselves. Ms. McAllister explained, in order to apply for the option, developers would submit an application to the Planning Department for review by staff and approval by the Planning Commission and City Council. She stated Port Warwick developers requested this option be allowed.

Vice Mayor Allen stated the City had already done a de facto by allowing installation of off-site signage by City Center developers, even though advised, during discussion on way-finding signage, it would not be logical to include individual businesses on directional signs. He felt the City opened a “Pandora’s box” by allowing business signage at City Center. He was in approval of the amendment to the sign ordinance and felt it was appropriate, considering it had been done de facto at City Center.

City Manager Hildebrandt explained the City was trying to encourage more mixed-used developments and commercial clusters, such as Port Warwick and Patrick Henry Market Place. He indicated signage was necessary for the public to locate development areas.

Councilwoman McMillan disagreed. She felt the City was giving certain entities a competitive advantage based on their size and the fact they were developed under a different type of mix. She sympathized with businesses in Port Warwick that had problems attracting people, but felt such businesses knew they were going into a “niche” market. She stated the City should not be obligated to put up signage directing people to certain markets, and questioned how the City would help other merchants who requested off-premises signs, such as Linens-and-Things and Job Express.

City Manager Hildebrandt stated the City was allowing signage in a controlled way so as to limit the number of signs. He stated a development had to be sizeable in order to apply for the flexibility option.

Mayor Frank stated City Council had an opportunity to bring attention to major economic projects in the community. He explained City Council had the final decision in determining whether the flexibility option was good or bad for a development.

Councilwoman Scott inquired whether the City would control the size of flag signage. Ms. McAllister stated the ordinance would allow interchangeable flags instead of hard surface signs to identify types of businesses in a development.

Councilwoman McMillan inquired about the 15 foot maximum height requirement if signs were only intended to point to a certain area. Ms. McAllister replied a limit on height was put in the ordinance for all signs in right-of-ways.

Councilwoman McMillan inquired whether shopping center signs that included businesses were 15 feet in height, and why a developer needed a 15 foot sign to name a development. Ms. McAllister replied the signage would name the

development with information describing what was in the development, i.e. hotels, restaurants, etc.

Mayor Frank referenced item (f) 4.d. of the proposed ordinance, and inquired why a development could not have on-premises signs if they chose to have off-site signage. He was concerned the language for on and off-premises signs was limited in the proposed amended ordinance.

Mayor Frank referenced item (f) 4.g. of the proposed ordinance, and what was meant by “the property.” Ms. McAllister replied “the property” meant the location of off-premises signs. Mayor Frank felt the word “property” needed clarification. He questioned whether the City had looked at specific properties with regard to the “100 feet” requirement. Ms. McAllister replied staff had looked at Port Warwick and Patrick Henry Market Place and found the “100 feet” requirement did work.

Mayor Frank stated he would support the proposed ordinance and suggested that staff revisit the ordinance with site specifics. He felt there were site specific problems that needed to be addressed. City Council expressed support for the amended sign ordinance as proposed.

THERE BEING NO FURTHER BUSINESS
ON MOTION COUNCIL ADJOURNED AT 5:15 P.M.

Jennifer D. Walker, CMC
Chief Deputy City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk