MINUTES OF THE PLANNING COMMISSION WORK SESSION
Wednesday, April 17, 2019
10th Floor City Council Conference Room
2400 Washington Avenue
Newport News, Virginia

PRESENT: Daniel L. Simmons, Jr., Chairman; Katie Stodghill, Vice-Chairwoman; Willard G. Maxwell, Jr.; Sharyn L. Fox; Michael F. Carpenter; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila McAllister, Director of Planning; Flora Chioros, Assistant Director – Current Planning; Rhonda Russell, Assistant Director – Comprehensive Planning; Saul Gleiser, Senior Planner; Johnnie Davis, Planner; Elizabeth McRae, Landscape Planner; Lynn Spratley, Deputy City Attorney; Nyoka Hall, Zoning Administrator Guests: Jeff Holland; Will Shewmake; Tim Trant; Mike Lang; Pastor Fred Michaux; Vannesssa Michaux; Jordan Johnson; Alisa Baldwin; and Katy Wittkamp

ABSENT: Mark W. Mulvaney and Zachary E. Wittkamp

Mr. Simmons opened the work session at 2:00 P.M.

Mr. Simmons introduced the first item on the agenda: Deferred Conditional Use Permit CU-2019-0001. Ms. Chioros stated Application No. CU-2019-0001 was heard by the Planning Commission on March 6, 2019 and deferred due to concerns by the Planning Commission, such as the applicant not reaching out to the neighboring community; whether we are going to have a 150 foot tower or a 175 foot tower; and what type of stealth tower options are available. She stated the applicant hosted a community meeting on April 4, 2019 at the Mariners’ Museum.

Mr. Jeff Holland and Mr. Will Shewmake gave a brief presentation of the application (copy attached to record minutes).

Ms. McAllister stated the city of Newport News tries to accommodate cell towers wherever we can, but there are certain areas in the city that we feel we should respect. She stated the fact is this is a pristine location and one of the few areas of the city that provides a respite with its visual appearance and the amenities that are around it. Ms. McAllister stated she understands that everyone wants cell tower connections to be able to use their phones and technology, which has a lot to do with the regulations that have been put in place that allow small cells that pick things up along the way from tower to tower. She stated however, in Newport News it has been a standard that we try to maintain a tower height no taller than 150 feet with an antenna on top. Ms. McAllister stated she does not think this is a location where we would want to go taller, but it is ultimately up to Planning Commission’s recommendation and City Council’s approval. She stated we are at a point where we need to decide if this pristine view is something we want to preserve in Newport News.
Ms. Stodghill asked if the applicant looked at any other areas on the museum property to erect the cell tower. She stated there is a fire road on the other side of the property that goes back into the woods where a tower could be installed or it could be tucked into the tree line on the other side of the lake. Mr. Holland stated no, the cell phone coverage would not be good enough for T-Mobile to consider that. Ms. Fox stated this is a conditional use permit application. She stated we should be discussing the tower height of 150 feet versus 175 feet instead of debating where to put the tower. Ms. McAllister stated with towers you are looking at aesthetics, so the view-shed is important and part of the conditional use permit is whether or not you want to penetrate that view-shed with this tower. She stated the applicant may do a semi-flush array, but the next carrier on that tower is not required to do a semi-flush array. Ms. Willis asked if Planning Commission could condition all of the tower arrays to be semi-flush. Ms. McAllister stated we have conditions on some towers now, but we have been challenged by the FCC and we cannot do that anymore, even though it is a condition of the conditional use permit. Ms. Spratley stated if a tower company wants to do maintenance on the tower and, therefore, switch out some of the arrays for something else, we cannot prohibit them unless it is a stealth tower and it would change the stealth nature of the tower.

Ms. Fox asked if the citizens at the community meeting had a height preference for the cell tower. Mr. Shewmake stated it was universal that they thought a 170 foot tower with semi-flush was appropriate.

Ms. Stoghill asked is this the best place or the easiest place for a cell tower. Mr. Shewmake stated this is the best place that we can bring a tower. He stated in working with the owners of the property and what fits all of the various criteria, he thinks this is a very good site.

Mr. Carpenter stated we believe better coverage is needed in that area and we like the idea of the museum getting additional revenue, but we do not necessarily like that location. He stated if there is a better location that is better hidden, we would like to see that option. Mr. Shewmake stated he will talk to the museum and T-Mobile and advise them of the issue.

Ms. McAllister stated most cell phone companies have already filled out their basic infrastructure. She stated any new towers coming in are basically towers installed to bounce data because of all of the data people are using now. Ms. McAllister stated because of this, the towers do not need to have as much height as the original towers did, so to say that no one else will locate on a 150 foot tower is not true.

Mr. Simmons introduced the second item on the agenda: Deferred Conditional Use Permit CU-2019-0003. Ms. Chioros stated the application is for a private school with less than 200 students. Ms. Chioros stated many commissioners asked if the conditional use permit is for 200 students. She stated this is the zoning category in which the use fits. She stated the limit on the number of students is one of the
conditions we added prior to the public hearing based on what was submitted in their application and their Traffic Impact Statement (TIS). Ms. Chioros stated that once the applicant learned that we limited the number of students to 50, they informed Planning staff that they would like to have the potential for 80 students if they took over the entire building. She stated the applicant has submitted a revised TIS; however, at this time the TIS has not been approved by the Transportation Division.

Mr. Tim Trant and Mr. Mike Lang gave a brief presentation of the application. Mr. Lang stated we are already getting students in Richmond from this part of the state who are having to ride a bus for an hour and a half or more. He stated if we were to begin operations in Newport News with 80 students that would give us 10 classrooms in this area serving the surrounding communities here. He stated we are starting to offer, and moving towards offering, the whole spectrum of what The Faison Center offers in Richmond in the central part of the state, here.

Ms. McAllister asked if the school’s current location is on Nettles Drive and the applicant is looking to move the school to Diligence Drive. Mr. Lang stated yes, everything at the Nettles Drive location would be moved to Diligence Drive and expanded. He stated the Nettles Drive location limits the school to 16 kids and we do not have enough room there to expand in that location. Mr. Trant stated currently the only facility we have in Newport News is the Nettles Drive location. He stated the programming there is serving K-12, or ages 5 through 22. Mr. Trant stated what we would like to do, subject to conditional use permit approval, is relocate the K-12, age 5 through 22 program, to the Diligence Drive location and then backfill the Nettles Drive location with a pre-school.

Mr. Simmons asked where the Richmond school is located. Mr. Lang stated the school is west of Willow Lawn and a block south of Broad Street. Ms. Willis asked how large is the Richmond school. Mr. Lang stated the Richmond school is K-12 with 175 kids. Ms. Willis asked why the proposed school has a 4 foot fence. Mr. Lang stated that it is our policy to make the school appear more inviting rather than institutional. He stated if a student is outside they will be with a teacher at all times. Mr. Simmons asked what are the school hours of operation. Mr. Trant stated the hours are approximately 7:30 A.M. to 4:00 P.M. and student time is from approximately 8:15 A.M. to 2:15 P.M. Mr. Simmons stated he is concerned about bus stacking in the parking lot and how it will affect the surrounding traffic. Mr. Trant stated the site is very large and well over-parked for what we would need in the built-out scenario (80 students) with 159 total parking spaces with a lot of circulation opportunities on-site. Ms. Chioros stated the Traffic Impact Statement (TIS) originally for 40 to 50 students was approved by the Department of Engineering and the revised TIS for 80 students is still under review.

Mr. Simmons introduced the third item on the agenda: Conditional Use Permit CU-2019-0004. Ms. Chioros stated the applicant, North Riverside Baptist Church (NRBC), had come before the Planning Commission on February 6, 2019 but withdrew their application because a new application was needed in light of the fact that they already had a before and after school care program. She stated this new application is a joint
application between NRBC and City Life Church. Ms. Chioros stated some of the concerns from the previous application dealt with the number of students and open space. She reminded the Planning Commission that open space does not mean playground space. Ms. Chioros stated the applicant will still need to meet the building code and state requirements per child internal to the building. She stated the new staff report states they will have the before and after school program on the second floor of the education wing within 6 rooms that allows a maximum occupancy of 64 children. Ms. Chioros stated the KidLife Club preschool program will have 32 students and utilize the existing classrooms on the first floor of the education wing. Ms. McAllister stated Planning staff was not aware of the before and after school program in conjunction with the first application and were under the impression that it may have been nonconforming, but that was not the case. She stated that is why NRBC is a co-applicant on this conditional use permit.

Pastor Fred Michaux stated after submittal of the joint application between NRBC and City Life Church, NRBC has gifted the facility to City Life Church, and it will be official on May 1, 2019. NRBC will be ceasing operations at 311 Selden Road and the before and after school program will operate under the oversight of City Life Church. Pastor Michaux stated our commitment as we become the new owners of the property is to be respectful of whatever is the legal requirement to be a good neighbor. Ms. McAllister asked if there will still be multiple churches operating in the building. Pastor Michaux stated yes, we are going to lease some space to other churches for weekend services and bible study during the week.

Ms. Willis asked if the before and after school program has the same requirements as a preschool or daycare. Pastor Michaux stated it does not fall under the same purview that a preschool does in regards to the Department of Social Services and the licensing requirements. Ms. Chioros stated before and after school programs are only allowed in community facilities in conjunction with a preschool. Ms. Willis stated she is concerned there is not enough open space for both the before and after school program and the preschool combined. Mr. Gleiser stated the licensing requirement is for the preschool, not before or after school care. Pastor Michaux stated that even if there were a restriction for the number of children that can be allowed on the playground, and if that number were less than the total occupancy of the children in the programs combined, then we would have a responsibility as caretakers to rotate them so they are not all out at the same time.

Ms. Chioros stated these applications are scheduled to be heard at the May 1, 2019 public hearing.

Mr. Simmons thanked Planning staff for their assistance in preparing for the work session. Ms. Fox thanked the Planning Commissioners for their input in today's work session.

There being no further business, the meeting adjourned at 4:07 P.M.
Parallel Infrastructure is now part of Lendlease, one of the world’s largest development, property, infrastructure and construction management firms.

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PI Tower Development, LLC
Proposed Wireless Communications Facility
The Mariners' Museum
100 Museum Drive
Newport News, Virginia
Community Meeting
April 4, 2019
Introductions

**Applicant/Tower Owner:** PI Tower Development, LLC
**Anchor Tenant:** T-Mobile

**Agents/Representatives for PI Tower Development/T-Mobile:**

William Shewmake, Woods Rogers, Attorneys at Law
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Jeff Holland, Network Building + Consulting, LLC
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Timeline

- Submitted Conditional Use Permit (CUP) application by the January 4, 2019 submittal deadline.
- Planning Commission (PC) meeting (Public Hearing) – March 6, 2019. The PC tabled the application.
- Applicant requested deferral until the May 1, 2019 PC meeting.
- Balloon Test – March 28, 2019
- Community Meeting – April 4, 2019
- PC meeting – May 1, 2019
- City Council Meeting – TBD
- Site Plan Review – w/ planning staff (administrative process)
Proposed Site Location – The Mariners’ Museum
100 Museum Drive, Newport News, Virginia
Site Overview:
Subject Parcel and Site Location Access

- All required setbacks will be met.
- The tower will be at least 500 ft. from all property lines.
- The tower will be at least 750 feet from the closest public street (Museum Drive).
- The closest residence will be at least 1100 feet away.
- Access to the tower will use existing access road. Tower will be located in existing storage area of the Museum. Not accessible by public.
- 60' x 60' lease area (3,600 sq. ft.)
- 50' x 50' fenced compound (2,500 sq. ft.)
- Backup generator to provide power in the case of electricity outage.
- Screening landscaping around compound.
**Tower Design**

170' monopole tower  
5' lightning rod  
= 175' total height

T-Mobile will be the anchor tenant

PI Tower Development will own the tower

Capacity for 3 future providers

Normal antenna array width - 16'10"

Semi-flush mounted antennas width - 8'8"
View #1 (visible) – 175 ft. normal antenna array (full capacity)
View #1 (visible) – 175 ft. semi-flush antenna
View #1 (visible) – 175 ft. semi-flush antenna (full capacity)
View #1 (visible) – 154 ft. normal antenna array
View #1 (visible) – 154 ft. normal antenna array (full capacity)
View #1 (visible) – 154 ft. semi-flush antenna
View #1 (visible) – 154 ft. semi-flush antenna (full capacity)
View #2 (visible) - 175 ft. semi-flush antenna
View #2 (visible) – 154 ft. normal antenna array
View #2 (visible) - 154 ft. semi-flush antenna
View #3 (NOT visible)
View #5A (visible) - 175 ft. normal antenna array
View #5A (visible) – 175 ft. semi-flush antenna
View #5A (visible) - 154 ft. normal antenna array
View #5A (visible) - 154 ft. semi-flush antenna
View #6 (NOT visible)
View #7 (visible) – 175 ft. normal antenna array

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 175 ft. normal antenna array (full capacity)

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 175 ft. semi-flush antenna

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 175 ft. semi-flush antenna (full capacity)

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 154 ft. normal antenna array

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 154 ft. normal antenna array (full capacity)

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 154 ft. semi-flush antenna

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #7 (visible) – 154 ft. semi-flush antenna (full capacity)

Distance from Warwick Blvd to Tower location – approx. 2000 ft.
View #8 (NOT visible)
View #9 (visible) - 175 ft. normal antenna array
View #9 (visible) – 175 ft. normal antenna array (full capacity)
View #9 (visible) – 175 ft. semi-flush antenna

Existing View

150'-0" Monopole Tower w/ 4' Lightning Rod - Visible
View 9 from Museum Dr., @ Front of main building entrance

VA - Newport News - Mariners Museum - PIVA074
100 Museum Dr., Newport News, VA 23606
View #9 (visible) – 175 ft. semi-flush antenna (full capacity)
View #9 (visible) - 154 ft. normal antenna array
View #9 (visible) - 154 ft. normal antenna array (full capacity)
View #9 (visible) – 154 ft. semi-flush antenna
View #9 (visible) – 154 ft. semi-flush antenna (full capacity)
View #10 (NOT visible)
View #11 (visible) – 175 ft. normal antenna array
View #11 (visible) – 175 ft. semi-flush antenna
View #11 (visible) - 154 ft. normal antenna array
View #11 (visible) – 154 ft. semi-flush antenna
Questions or Comments?

Next meeting: Planning Commission – May 1, 2019 @ 2 pm
Council Chambers – 2400 Washington Avenue

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