

Agenda

Newport News Planning Commission

City Council Chambers

2400 Washington Ave

Wednesday, November 1, 2023, 2:00 PM

City of
NEWPORT NEWS
Virginia



Page

A. Call to Order

B. Planning Commission Creed and Approval of the Agenda

C. Invocation

D. Pledge of Allegiance

E. Minutes

(a) [City Planning Commission - October 4, 2023](#)

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F. Public Hearing

CHANGE OF ZONING

(a) **Z-2023-0001, Phillips Housing and Development LLC** Requests a change of zoning from C1 Retail Commercial to R4 Single-family Dwelling for a 0.12-acre parcel located at 2505 Roanoke Avenue. The *One City, One Future 2040 Comprehensive Plan* calls for urban residential uses for the property. The parcel identification is 307.01.03.34. **(Contact Planner: Saul Gleiser at 757-926-8076)(To be heard by City Council on November 28, 2023)**

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[Z-2023-0001 CPC Staff Report](#)

CONDITIONAL USE PERMIT

(b) **CU-2023-0009, First Baptist Church Morrison** Requests a conditional use permit to operate a childcare center in a 12,542 square foot area of the facility on a 7.51-acre parcel located at 12720 Patrick Henry Drive, zoned O1 Office. The *One City, One Future Comprehensive Plan* recommends community facilities uses for the property. The parcel identification is 090.00.04.05. **(Contact Planner: Saul Gleiser at 757-926-8076)(To be heard by City Council on November 28, 2023)**

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[CU-2023-0009 CPC Staff Report](#)

G. Executive Secretary Report

H. Committee Reports

I. Unfinished Business

J. New Business

K. Adjourn

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Minutes

City Planning Commission Public Hearing
City Council Chambers, 2400 Washington Ave
Wednesday, October 4, 2023, 2:00 PM

City of
NEWPORT NEWS
Virginia



MEMBERS PRESENT:

Sharyn Fox, Chairperson; Michael Taylor, Vice-Chairperson; P. Gray Bowditch; Randie T. Dyess, Jr.; Willard G. Maxwell, Jr.; Philip Shook; Katie Stodghill; and LaMonte Williams

MEMBERS ABSENT:

Timothy Grabowski

OTHERS PRESENT:

Sheila W. McAllister, Planning Director; Flora D. Chioros, Assistant Director – Current Planning; Saul Gleiser, Senior Planner; Carolyn Poissant, Senior Planner; Celeste Lodiong, Planner; Dedra Richardson, Office Manager; Lynn Spratley, Senior Deputy City Attorney; and Nyoka Hall, Zoning Administrator

A. Call to Order

Ms. Fox called the meeting to order at 2:00 P.M.

B. Planning Commission Purpose and Approval of the Agenda

Mr. Shook read the Planning Commission's purpose as stated in Section 15.2-2210 of the Code of Virginia. He made a motion to adopt the agenda before the Planning Commission. Mr. Williams seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

C. Invocation

The invocation was rendered by Mr. Williams

D. Pledge of Allegiance

Mr. Shook led the Planning Commission in the Pledge of Allegiance.

E. Minutes

The minutes of the July 19, 2023 public meeting were approved.

F. Public Hearing

CHANGE OF ZONING

- (a) **CZ-2023-0003, GETHSEMANE BAPTIST CHURCH** Requests a change of zoning from C1 Retail Commercial and R4 Single-family dwelling to C1 Retail Commercial with proffers for a combined 1.06 acres parcel located at 3509 Chestnut Avenue and 1149 35th Street. The *One City, One Future 2040 Comprehensive Plan* recommends community facilities uses for the property. The parcel numbers are 295.03.01.70 and 301.01.01.17.

Saul Gleiser, Senior Planner, presented the staff report (copy attached to record minutes).

Mr. Williams asked if the venture is for profit. Mr. Gleiser stated yes. Mr. Williams asked if it is a joint venture between Sentara Healthcare and Gethsemane Baptist Church. Mr. Gleiser stated Gethsemane Baptist Church will lease the building to Sentara Healthcare while maintaining ownership.

Ms. Fox asked if Gethsemane Baptist Church is currently operating in the building and the size of its membership. Ms. McAllister stated Gethsemane Baptist Church is not operating in the building. Ms. Fox asked if the building is currently vacant. Ms. McAllister stated Gethsemane Baptist Church was leasing the building to another church, but will be leasing it to Sentara Healthcare. Ms. Fox asked the size of the church that is currently using the building. Mr. Gleiser stated he did not know.

Ms. Fox opened the public hearing.

Pastor Dwight Riddick, Gethsemane Baptist Church, 5405 Roanoke Avenue, stated the building is currently vacant.

Mr. Williams asked Pastor Riddick to explain the relationship between Gethsemane Baptist Church and Sentara Healthcare as it relates to the building's use. Pastor Riddick stated Gethsemane Baptist Church will lease the building to Sentara Healthcare to operate medical offices in the building and it will not be a joint operation. He stated there will be a food pantry in the building and the food will be distributed by Gethsemane Baptist Church volunteers.

Mr. Williams asked if Sentara Healthcare will provide wellness programs. Pastor Riddick stated Sentara Healthcare's main objective is to provide primary care. He stated there will be mental healthcare, including counseling for drug addiction, physical therapy, and space for community activities available. Pastor Riddick stated there is an opportunity to develop ongoing programs and that the services planned are designed to change the trajectory of health in the community and provide wellness resources.

Mr. Williams asked if Urgent Care has provided a date when services will be open to the public. Pastor Riddick stated a representative from Sentara Healthcare is available to answer questions.

Mr. Bowditch stated he was involved in a project with another group and by participating in that project he knows that there are not enough healthcare projects. He commended Pastor Riddick and those involved in bringing this type of service to the Southeast Community. Pastor Riddick thanked Mr. Bowditch and stated the church constructed a new sanctuary on Roanoke Avenue and ultimately decided there is no better use for their older structure than helping those that live in the community experience a healthier lifestyle.

Mr. Nelson Armstrong, 1145 36th Street, stated he lives directly across the street from the site and although he appreciates all that Gethsemane is trying to do, he wanted to address some concerns of the neighbors. He stated it is difficult to make a left turn at the corner of Chestnut Avenue and 36th Street, because of the Booker T. Washington School on Chestnut Avenue. Mr. Armstrong stated as you go up 36th Street and attempt to make a turn, it is difficult because it is very busy with parents picking up and dropping off their children and too often someone is attempting to make a U-turn right in that intersection. He stated when there are special events, the traffic and parking is tremendous and for 5 days during the week when school is in session, it is a hazardous area. Mr. Armstrong stated he has spoken with the City Manager's office before about those concerns and they were kind about taking down trees and getting some things moved. He stated when the church has services or events or when the school is operating, parking on both sides along 36th Street make it a narrow street. Mr. Armstrong stated since returning to his home about 10 years ago, he has seen no less than 7 or 8 accidents and speeding occurs quite often around the 1100 block of 36th Street and drivers tend to choose that route to travel. He stated the church has been kind and considerate allowing the neighbors to park in the church parking lot off the road but the neighbors are worried about the traffic.

Mr. Taylor stated he can relate to Mr. Armstrong's concerns, because he had a child that attended Booker T. Washington School and was a parent that used to park in the area of concern, because of convenience. He stated he understands that the other city departments have no issue with the rezoning, but asked if they had considered the parking issues. Ms. Chioros stated Department of Engineering did review the case and had no concerns. Mr. Armstrong stated the left turn referenced has always been a concern. He stated even when school is not operating, it is difficult to see when a vehicle is coming, because of the way it was designed. Mr. Armstrong stated the traffic light at 35th Street and Chestnut Avenue helps, but is not always helpful when there is a backup at 36th Street. He stated his concern is with safety.

Dorothy Barnes, 1111 36th Street, stated she has the same concerns as Mr. Armstrong and understands parents dropping off their children at the corner near the school is

normal, but the buses going through to Booker T. Washington School has presented a problem for those trying to enter and exit in the afternoon. She stated the community uses Jefferson Avenue and Chestnut Avenue for convenience when trying to get to Interstate 664, and a lot of traffic happens in the neighborhood even when kids are standing on the corner waiting for the bus. Ms. Barnes stated when Gethsemane Baptist Church was operating at the site, the church members would block their driveway and the only way to get some type of resolution was by contacting the Police.

Ms. Fox asked if a conditional use permit will be required after the change of zoning. Ms. McAllister stated no and that the use was proffered. Ms. Fox asked if there is a way to resolve the issues mentioned. Ms. McAllister asked the Sentara Healthcare representative to come forward and address the concerns. She stated she believes there are ways to resolve the issue and does not believe the residents will experience the same issues experienced with the church.

Mr. Kyle Ramsey, Construction Manager with Sentara Healthcare, 3105 Poplar Hall, Norfolk, VA, representative of Sentara stated the hours of operation will be from 9:00 AM to 5:00 PM.

Mr. Bowditch stated he believes the traffic impact will not be the same as it was with the church and that sometimes patrons use other means of transportation such as public transportation, carpool, or bicycle instead of a personal vehicle. Mr. Ramsey stated that is correct.

Ms. Fox stated it does not appear that the rezoning will have an impact and may even reduce the traffic. She stated the proffers are there and the Department of Engineering does not have an issue with the rezoning.

Dr. Maxwell stated he agrees with Mr. Bowditch and that a medical facility will not have the same traffic impact as a church or other type of commercial use. He stated although he does not live in that area, he would rather see a medical facility there especially for individuals that reside in the area with limited transportation and believes it will make a positive change.

Mr. Taylor asked if the concerns of the citizens were heard and if parking will be permitted on the site. He stated the neighbors have been using the parking spaces on the site to keep their vehicles off the road to prevent damage. Mr. Ramsey stated the ultimate goal is to serve and help the community and to prevent people from parking in spaces seems counterproductive especially since the project is for the community. Mr. Taylor stated the citizens have spoken about their concerns and believes the city should do their due diligence and maybe even consider installing speed bumps near 36th Street.

Katie Jackson, 1114 36th Street stated she has the same concerns of those of Mr. Armstrong and Ms. Barnes and that 36th Street is used as a throughway to access interstate 664. She stated blocking driveways, speeding, not obeying the stop sign and having to inch out when leaving her driveway because you cannot see around the parked vehicles are all concerns. Ms. Jackson stated if a vehicle is blocked by someone else's vehicle, it creates an inconvenience and a hardship. She stated she even experienced a hit and run while her vehicle was parked and has concerns that their health and safety are at risk.

Ms. Gloria Coleman, 1124 36th Street, stated her main concern is with parking, but she also is concerned with vehicles speeding down 36th Street and 36th Street being used as a cut-through to access interstate 664. She stated she has growing children playing outside sometimes and she was almost hit when exiting her vehicle by a vehicle speeding by. Ms. Coleman stated she has requested speed bumps be installed, but that has not happened.

Pastor Riddick stated the facility is there for the community and the residents will not be prevented from parking in the parking lot, because the facility is community friendly and hopes that will ease the minds of the residents. He stated Booker T. Washington School made a request that in the event the school has to evacuate, if the site could be used by the students or for any other particular reason and Sentara Healthcare replied, by all means.

Ms. Spratley stated that section 15.1-2283 of the Code of Virginia talks about the purpose of the zoning ordinances. She stated the request is for making a change to the zoning in reference to the city and in that regard, the section does say that the purpose of the zoning is to promote the health, safety, and general welfare of the public. Ms. Spratley stated it states a variety of factors that are up for consideration in making the determination and one of them is to reduce or prevent congestion in public streets. She stated Ms. Fox did mention the concerns currently exist and the Planning Commission would be considering whether the rezoning would increase the problems addressed. Ms. Spratley stated part of the property is zoned C1 Retail Commercial, permitting another church with the R4 Single-Family Dwelling designation. She stated the commission would be voting and considering whether or not the rezoning would create a larger problem than the problems that already exist. Ms. Fox stated it seems the rezoning would alleviate some of the problems and the Planning Commission cannot address the current issues the neighbors are having.

Mr. Williams stated the building is south of the road that is being used to cut through to access interstate 664. He stated the use will not have those concentrated times as with a church. Mr. Armstrong stated he understands the traffic problem already exists and it appears the rezoning will not add to it, but believes it will. He stated a church has concentration on Sunday, but the healthcare facility will have a combined concentration during the week along with the existing school traffic. He appreciates the

services the healthcare facility will provide to the community, but he is not convinced people will use other means of transportation such as riding a bicycle or using public transportation to arrive at the facility. He believes there will be an increase in traffic.

Ms. Fox closed the public hearing.

Mr. Shook made a motion to recommend approval of change of zoning CZ-2023-0003 to City Council. The motion was seconded by Dr. Maxwell.

Mr. Taylor stated he would like to see the Department of Engineering visit that area to review the issue along 36th Street. He stated he has driven in that area and can relate to the concerns of the citizens.

Vote on Roll Call:

For: Maxwell, Dyess, Shook, Williams, Taylor, Bowditch, Fox

Against: None

Abstention: Stodghill

The City Planning Commission voted 7:0 with one abstention to recommend approval of change of zoning CZ-2023-0003 to City Council.

ZONING TEXT AMENDMENT

- (b) **ZT-2023-0004, CITY OF NEWPORT NEWS** Requests an amendment to the zoning ordinance to add the definition of continuing care facility, Section 45-201; add continuing care facility to the use matrix, Section 45-402; and add general regulations for continuing care facility, Section 45-538.

Flora Chioros, Assistant Director of Planning, presented the staff report (copy attached to record minutes).

Ms. Fox opened and closed the public hearing.

Mr. Taylor made a motion to recommend approval of zoning text amendment ZT-2023-0004 to City Council. The motion was seconded by Dr. Maxwell.

Vote on Roll Call:

For: Dyess, Shook, Williams, Taylor, Bowditch, Stodghill, Maxwell, Fox

Against: None

Abstention: None

The City Planning Commission voted unanimously (8:0) to recommend adoption of zoning text amendment ZT-2023-0004 to City Council.

- (c) **ZT-2023-0005, CITY OF NEWPORT NEWS** Requests an amendment to the zoning ordinance Article XXII, C3 Regional Business District to amend the area and dimensional regulations, buffering provisions and loading provisions in the C3 Regional Business District. (Sections 45-2203, 45-2204, 45-2205 and 45-2206.)

Flora Chioros, Assistant Director of Planning, presented the staff report (copy attached to record minutes).

Mr. Williams asked for a more detailed explanation of the request and its impact. Ms. Chioros stated currently buffers are required between different uses in the downtown area, such as between a commercial or office building and any kind of multi-family residential. She stated this does not happen in typical downtowns and this code change will eliminate that requirement. Ms. Chioros stated the intent is to allow the regional business district to develop as an urban center or typical downtown area.

Ms. Fox opened and closed the public hearing.

Mr. Shook made a motion to recommend adoption of zoning ordinance text amendment ZT-2023-0005 to City Council. The motion was seconded by Mr. Taylor.

Vote on Roll Call:

For: Shook, Williams, Taylor, Bowditch, Stodghill, Maxwell, Dyess, Shook, Fox

Against: None

Abstention: None

The City Planning Commission voted unanimously (8:0) to recommend adoption of zoning ordinance text amendment ZT-2023-0005 to City Council.

G. Executive Secretary Report

Ms. McAllister stated on August 15, 2023 the Board of Zoning Appeals approved the special exception for the single-family home on a non-conforming lot located at 1026 26th Street.

Ms. McAllister stated on August 8, 2023 City Council approved a change of zoning from C1 Retail Commercial to R5 Low Density Multiple-Family Dwelling with proffers for 15459 Warwick Boulevard (River Mews); two conditional use permits allowing car washes at 12570 and 13260 Warwick Boulevard for Cool Wave; and a zoning ordinance text amendment eliminating the off-street parking requirements for residential uses in the C3 Regional Business District.

Ms. McAllister stated on November 1, 2023, two cases will be presented, a change of zoning request from C1 Retail Commercial to R4 Single-Family Dwelling for a 0.12 acre parcel at 2501 Roanoke Avenue and a conditional use permit for a childcare center at 12720 Patrick Henry Drive for First Baptist Church Morrison.

Ms. McAllister stated we have no cases for the October 18, 2023 Planning Commission meeting.

Mr. Shook made a motion to cancel the October 18, 2023 Planning Commission meeting. The motion was seconded by Mr. Taylor. The Planning Commission voted by acclamation.

H. Committee Reports

None

I. Adjourn

There being no further business, the meeting adjourned at 3:02 P.M.



Recording Secretary



Executive Secretary

Z-2023-0001

**PHILLIPS HOUSING AND
DEVELOPMENT, LLC**



City of Newport News Planning Commission

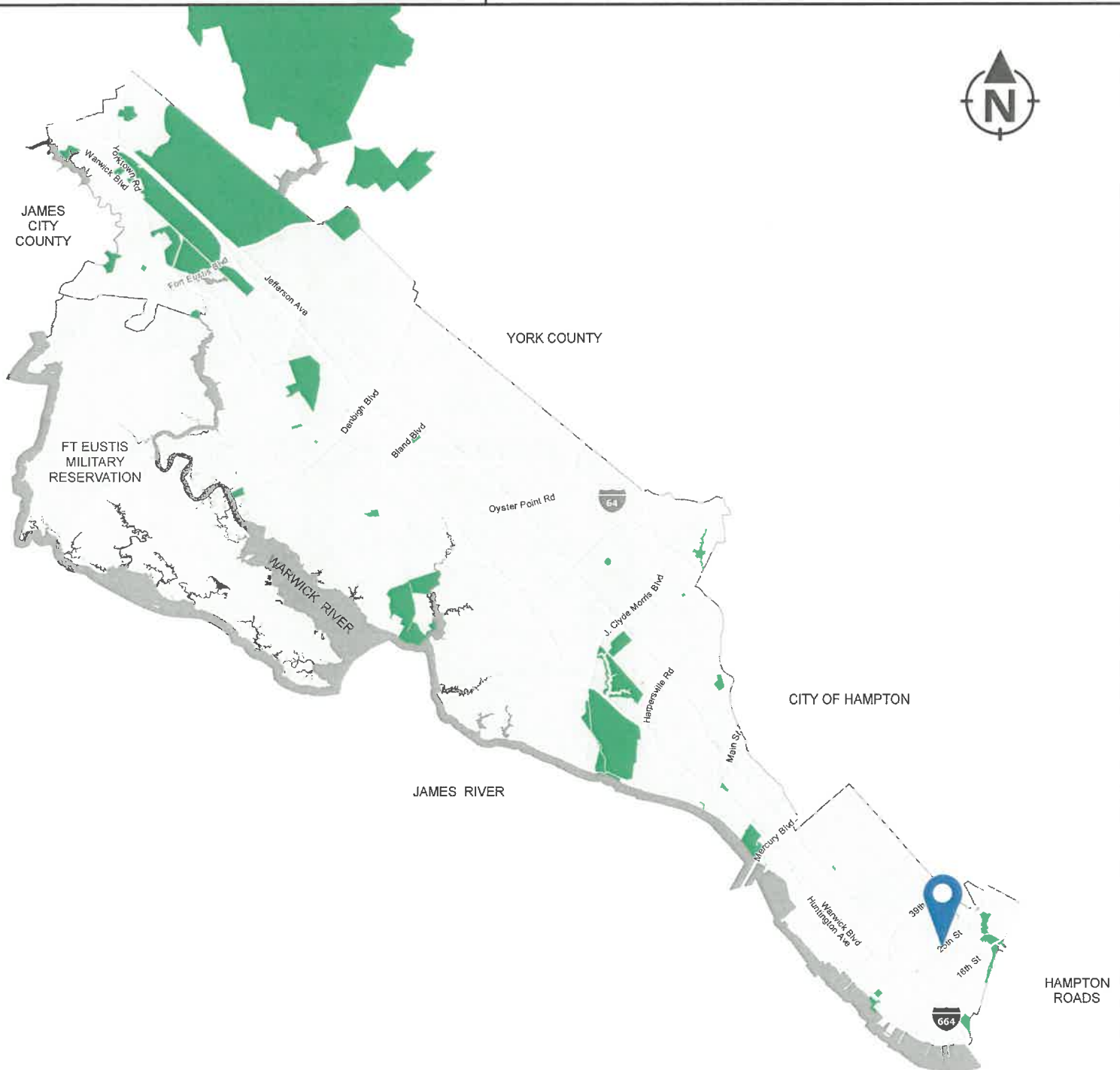
November 1, 2023

Change of Zoning Z-2023-0001

Owner/ Applicant: Phillips Housing and
Development, LLC

Location: 2505 Roanoke Avenue

Acreage: 0.12 Acre



CHANGE OF ZONING APPLICATION NO. Z-2023-0001
PHILLIPS HOUSING AND DEVELOPMENT, LLC

OWNER / APPLICANT Phillips Housing and Development, LLC **ZONING** C1 Retail Commercial (Appendix A-2)

LOCATION 2505 Roanoke Avenue **ONE CITY, ONE FUTURE 2040** Urban Residential (Appendix A-3)

PRESENT USE Vacant parcel **ACREAGE** 0.12 acres

REQUEST Change of zoning from C1 Retail Commercial to R4 Single-Family Dwelling



FACTS

- North** Single-family homes on properties zoned C1 Retail Commercial
- South** Vacant lot zoned C1 Retail Commercial
- East** Single-family homes and a vacant lot on properties zoned R4 Single-family Dwelling
- West** Vacant commercial structure on property zoned C1 Retail Commercial

Zoning History The property has been zoned C1 Retail Commercial since the citywide comprehensive rezoning became effective on August 1, 1997.

Prior to the 1997 citywide comprehensive rezoning, residential uses were permitted by-right in both residential and commercial districts.

Regulatory Review The proposed change of zoning from C1 Retail Commercial to R4 Single-Family Dwelling will allow for the construction of a single-family home.

All area dimensional regulations as well as setback requirements will be met with the redevelopment of the property.

The departments of Codes Compliance, Engineering, Public Works, Waterworks, Fire, Police, Parks and Recreation and Development have no objection to the request.

Comprehensive Plan Review The proposed single-family residence is in keeping with the *One City, One Future 2040 Comprehensive Plan* land use urban residential designation. (See Appendix A-3.)

ANALYSIS

Although zoned commercially, the parcel in question was developed with a single-family home that was allowed in a commercial district prior to the 1997 citywide comprehensive rezoning. The residential structure on the property was abandoned for several years and was demolished in 2006. due to its dilapidated condition. Since then the parcel has remained vacant. There are 5 occupied single-family residential homes on the remaining block.

The proposed change of zoning from C1 Retail Commercial to R4 Single-Family Dwelling will bring the property into conformance with the land use recommendations in the *Comprehensive Plan*. The current commercial zoning was based on the property's location next to an intersection. Past typical patterns of development in the Southeast Community allowed corner parcels to develop as commercial, accounting for the many corners with mixed used buildings with corner stores on the first floor and residential units on the upper floor.

The change to single-family zoning will allow for the development of property in a residential manner that is consistent with most blocks facing Roanoke Avenue.

The proposed change of zoning complies with the recommended uses in the *Comprehensive Plan* therefore, the rezoning is being recommended without proffers. In addition, the proposed R4 zoning will have no impact on the existing uses within the vicinity.

CONCLUSION

The proposed change of zoning conforms with the *One City, One Future 2040 Comprehensive Plan* land use map, and responds to the character of the residential blocks along Roanoke Avenue, in which it is located.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to

City Council approval of change of zoning Z-2023-0001 for the property located at 2505 Roanoke Avenue from C1 Retail Commercial to R4 Single-Family Dwelling.

APPENDIX

A-1 AERIAL MAP

A-2 ZONING MAP

A-3 *ONE CITY, ONE FUTURE 2040* LAND USE MAP



City of Newport News Planning Commission

November 1, 2023

Change of Zoning Z-2023-0001

Owner/
Applicant: Phillips Housing and
Development, LLC.

Location: 2505 Roanoke Avenue

Acreage: 0.12 Acre





City of Newport News
Planning Commission

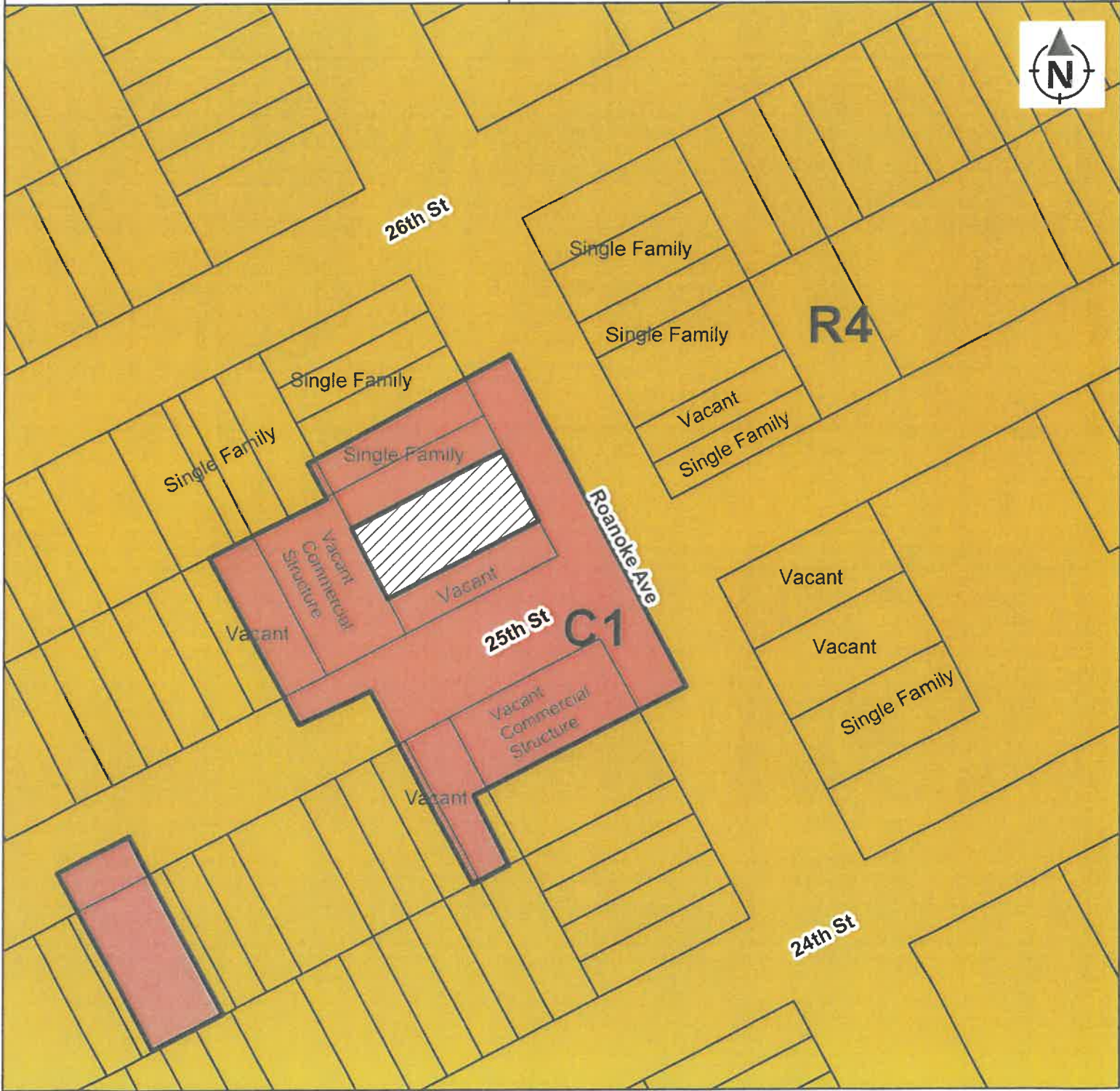
November 1, 2023

Change of Zoning
Z-2023-0001

Owner/
Applicant: Phillips Housing and
Development, LLC.

Location: 2505 Roanoke Avenue

Acreage: 0.12 Acre





City of Newport News
Planning Commission

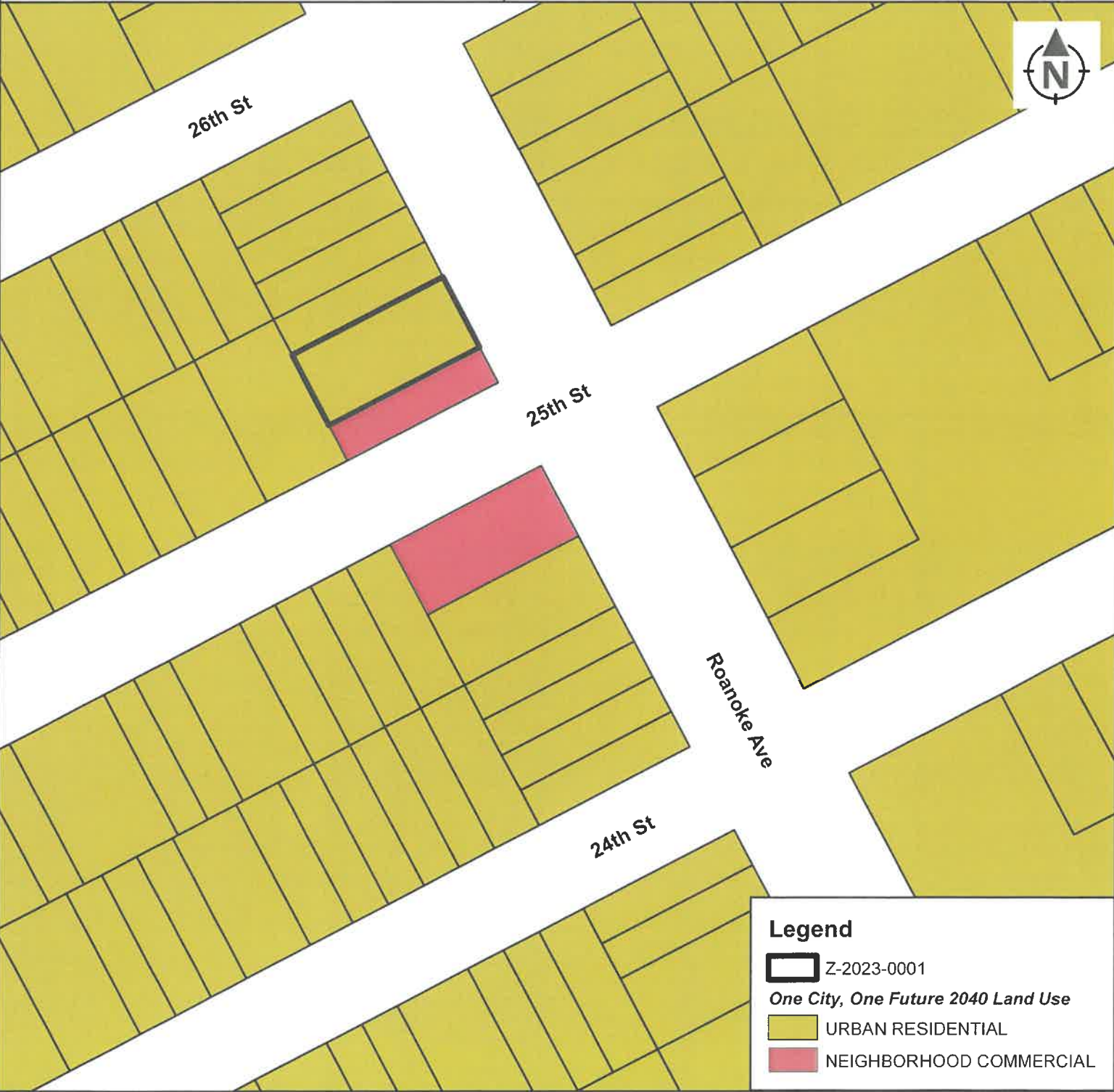
November 1, 2023

Change of Zoning
Z-2023-0001

Owner/
Applicant: Phillips Housing and
Development, LLC.

Location: 2505 Roanoke Avenue

Acreage: 0.12 Acre



CU-2023-0009

FIRST BAPTIST CHURCH MORRISON



City of Newport News
Planning Commission

November 1, 2023

Conditional Use Permit
CU-2023-0009

Owner/ First Baptist Church
Applicant: Morrison

Location: 12720 Patrick Henry Drive

Acreage: 7.51 Acres



CONDITIONAL USE PERMIT APPLICATION NO. CU-2023-0009

FIRST BAPTIST CHURCH MORRISON

OWNER / APPLICANT	First Baptist Church Morrison	ZONING	01 Office (Appendix A-2)
LOCATION	12720 Patrick Henry Drive	ONE CITY, ONE FUTURE 2040	Community Facilities (Appendix A-3)
PRESENT USE	Church	ACREAGE	7.51 acres
REQUEST	Conditional use permit for the operation of a before and after school childcare facility		



FACTS

North	Offices and Liberty Pediatrics on properties zoned 01 Office
South	Daybreak condominiums and Tidewater Dentist on properties zoned R7 Medium Density Multiple-Family Dwelling and 01 Office, respectively
East	Liberty Commons offices and Mid-Atlantic Technology on properties zoned 01 Office and M1 Light Industrial, respectively
West	Virginia Department of Motor Vehicles and vacant parcels on properties zoned 01 Office
Zoning History	The property has been zoned 01 Office since the citywide comprehensive rezoning became effective on August 1, 1997.
Regulatory Review	A conditional use permit is required to operate a childcare facility within the 01 Office zoning district.

The Commonwealth of Virginia Department of Social Services licenses, regulates and monitors childcare providers. If the license is issued to the childcare provider, all State regulations apply. Religious institutions can apply to the State for exemption from the State licensing requirements.

The zoning ordinance requires one parking space per employee in addition to on-site circulation for the safe drop-off and pickup of children. The before and after school childcare center will employ a staff of up to 8 and is required to provide 8 parking spaces. The site plan indicates the provision of 165 on-site parking spaces and a circulation pattern that allows one-way vehicular circulation on the site. (See Appendix A-4.)

The departments of Codes Compliance, Engineering, Public Works, Waterworks, Fire, Police, Parks and Recreation and Development have no objection to the request.

Comprehensive Plan Review The adopted *One City, One Future 2040 Comprehensive Plan* land use map identifies community facilities uses for the parcel. (See Appendix A-3.)

ANALYSIS

First Baptist Church Morrison is proposing to expand its ministry to provide before and after school childcare. The church proposes to provide care for a maximum of 115 children between ages of 5 to 12 years old. The proposed hours of operation will be from 6:00 AM to 9:00 AM and from 3:00 PM to 6:00 PM, Monday through Friday, only on days when Newport News Public Schools are in session. During holidays, teacher training days and other days when children are not at school the facility will be closed. (See Appendix A-6.)

Since the pandemic, every locality has seen a shortage of childcare facilities, including before and after school care, impacting the ability of many parents to resume work. The proposed program will provide parents with a new option for childcare. The church is easily accessible from residential neighborhoods, employment centers and the neighboring schools it will serve.

The Virginia Uniform Statewide Building Code requires a minimum of 35 square feet of designated indoor floor space per child for this type of use. The program will be housed in approximately 12,500 square feet of the original building with 6,000 square feet designated for actual children activities. The program will use the large multipurpose room, provide a computer lab and 3 recreational rooms among other spaces. Given the limited hours the program will operate per day and that they will only be open when schools are in session, there is no requirement for an outdoor playground. (See Appendix A-5.)

The proposed childcare program will operate within the existing building and all activities will take place indoors. There are multiple exits out of the

space directly to the exterior, meeting safety requirements. Pick up and drop off of children will all be internal to the site. Hence, the proposed childcare should have no adverse impact on neighboring properties. The parents will drop off the children and arrange for Newport News Schools to pick them up for transport to the school in the morning and return to the center at the end of the day, where the parents will pick them up. The children will be escorted to and from Newport News school vehicles by a staff member.

CONCLUSION

The proposed before and after school childcare program within the existing building is well suited to provide an increasingly needed service to the surrounding residential neighborhoods and employment centers. The new use will be no more impactful than the existing use. It is consistent with the *One City, One Future 2040 Comprehensive Plan* land use map designation. The proposed use should not adversely impact the surrounding properties.

STAFF RECOMMENDATION

Recommend approval of conditional use permit CU-2023-0009 to allow for the operation of a before and after school childcare facility at 12720 Patrick Henry Drive with the following conditions:

1. The applicant shall maintain a license from the Virginia Department of Social Services to operate a childcare center on the Property. The before and after school childcare shall comply with the appropriate license requirements, standards, and regulations administered by the State of Virginia's Department of Social Services.
2. The before and after school childcare shall not be leased to an entity different from First Baptist Church Morrison.
3. The program shall operate only when Newport News Public Schools are in session and will limit its hours of operation to 6:00 AM to 9:00 AM and 3:00 PM to 6:00 PM, Monday through Friday.
4. The program shall operate only within the spaces shown in the floor plans, prepared by the Barnes Design Group, dated August 23, 2023 and noted as Appendix A-5. The total number of children permitted in the program shall not exceed 115 children and shall be in accordance with the Virginia Uniform Statewide Building Code.
5. The childcare facility shall maintain a designated parking area for its employees and shall maintain a one-way circulation pattern for the pickup and drop off of children.
6. The ordinance approving this conditional use permit shall be prominently displayed within the establishment at all times until the

7. The applicant, as well as successors, assigns, and agents, shall comply with all codes, ordinances and regulations of federal, state and local government.
8. The applicant, as well as his successors, assigns, and agents, shall obtain all necessary licenses, approvals, or conditional approvals, and permits prior to commencing any use, which is authorized by this conditional use permit or law. The applicant, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, and permits for the entire period of time during which the real property, whether improved or otherwise is put to a use which is authorized by this conditional use permit.
9. A Certificate of Use and Occupancy shall be obtained prior to the occupancy of, or the operation of, any use of the Property. If applicable, the use approved by this conditional use permit shall not begin until a site plan is approved and fully implemented. If applicable, any landscaping component of the site plan shall be maintained in a healthy condition for the duration of the use authorized by this permit.
10. Violation of any of the above conditions and safeguards attached thereto shall be deemed a violation of the zoning ordinance, and, in addition, shall serve as grounds for revocation of the conditional use permit by the City Council.
11. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; therefore, the conditions contained in this conditional use permit are not severable; in the event that any condition contained herein, or part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional or otherwise unenforceable, then the use permitted by this conditional use permit shall be void and the use permitted by this conditional use permit shall be invalid. If this conditional use permit becomes void as a result of a condition or a part thereof, or conditions there in, being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a conditional use permit.
12. Notwithstanding any other provision of law, this conditional use permit is being approved due, in part, to the mitigating effects of each and every condition contained herein; as such, in the event of an amendment to the zoning of the property is produced by a comprehensive implementation of a new or substantially revised zoning ordinance, the conditions imposed by the conditional use permit shall continue in effect.

APPENDIX

A-1 AERIAL MAP

A-2 ZONING MAP

A-3 *ONE CITY, ONE FUTURE 2040* LAND USE MAP

A-4 CONCEPTUAL SITE PLAN

A-5 FLOOR PLANS

A-6 BUSINESS PLAN



City of Newport News Planning Commission

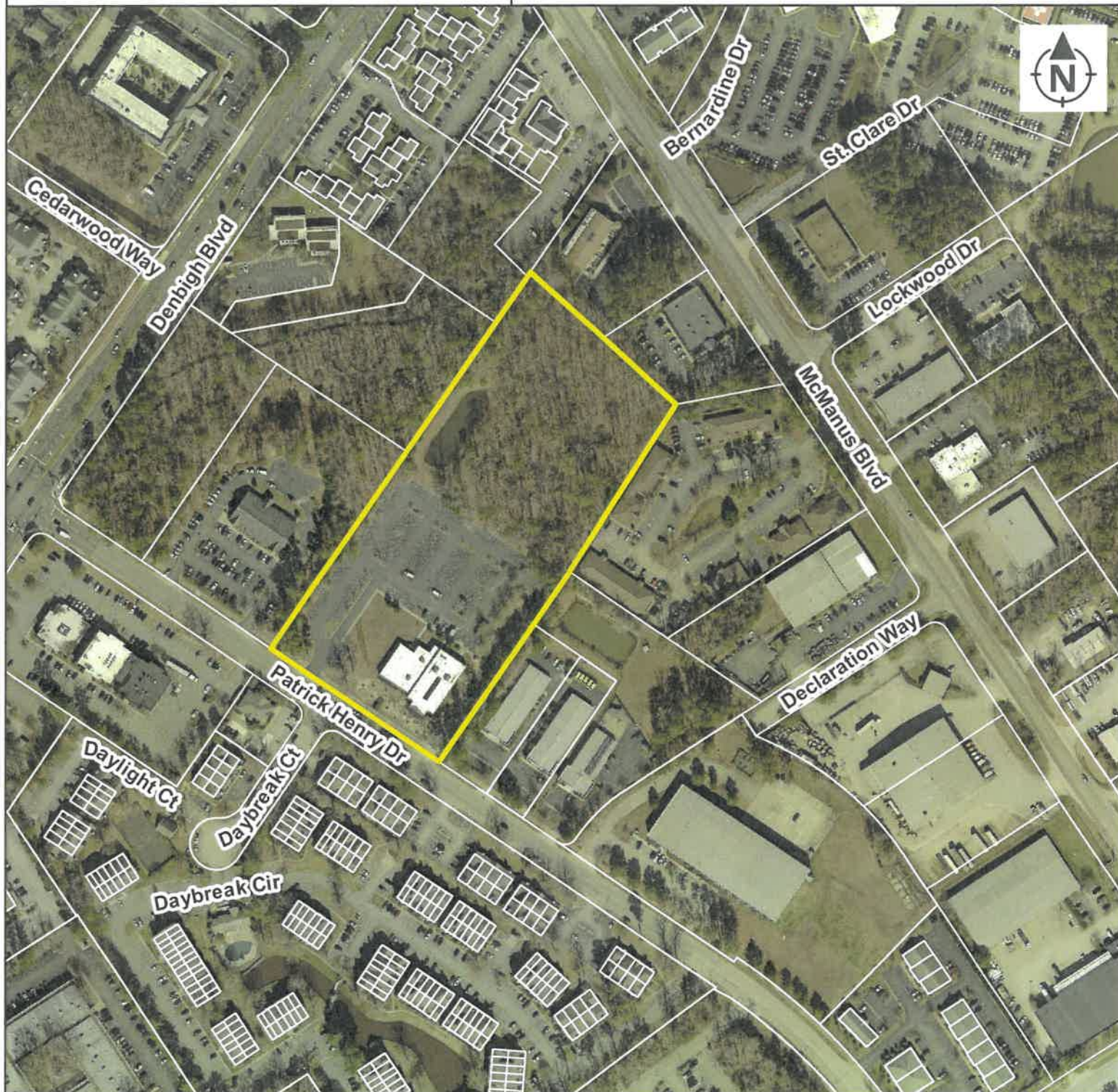
November 1, 2023

Conditional Use Permit CU-2023-0009

Owner/ Applicant: First Baptist Church
Morrison

Location: 12720 Patrick Henry Drive

Acreage: 7.51 Acres





City of Newport News Planning Commission

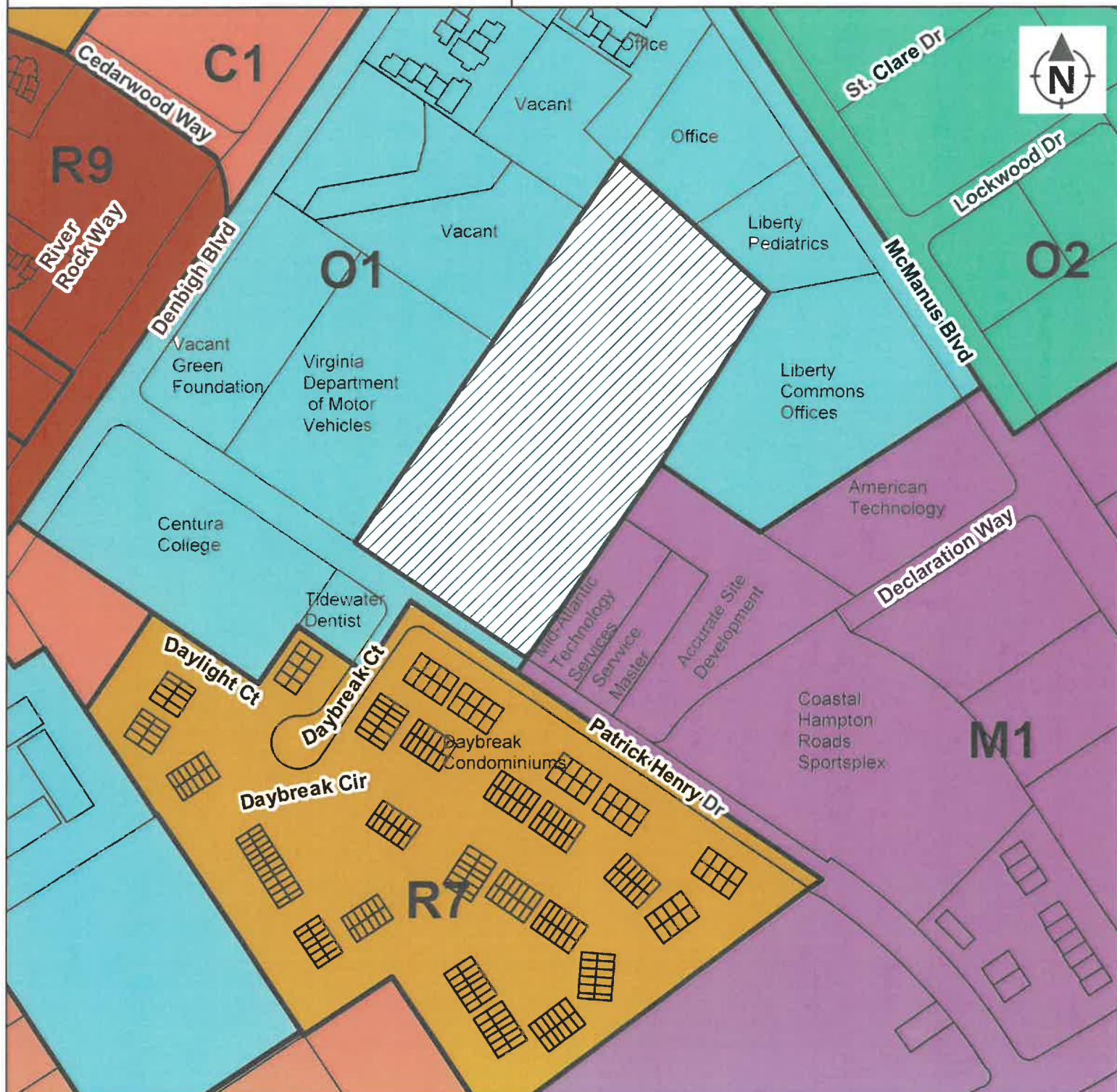
November 1, 2023

Conditional Use Permit CU-2023-0009

Owner/ Applicant: First Baptist Church Morrison

Location: 12720 Patrick Henry Drive

Acreage: 7.51 Acres



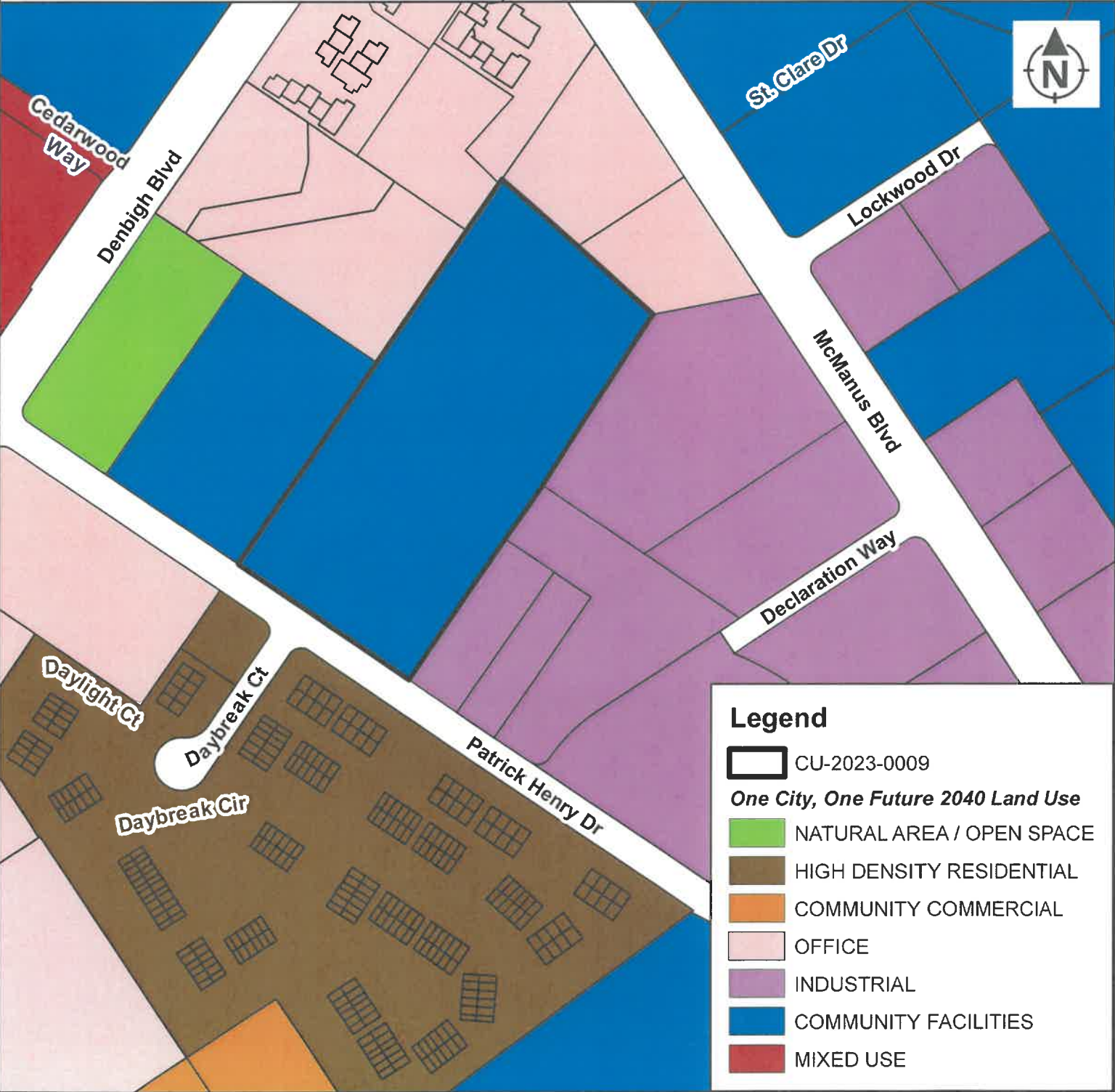


City of Newport News
Planning Commission

November 1, 2023

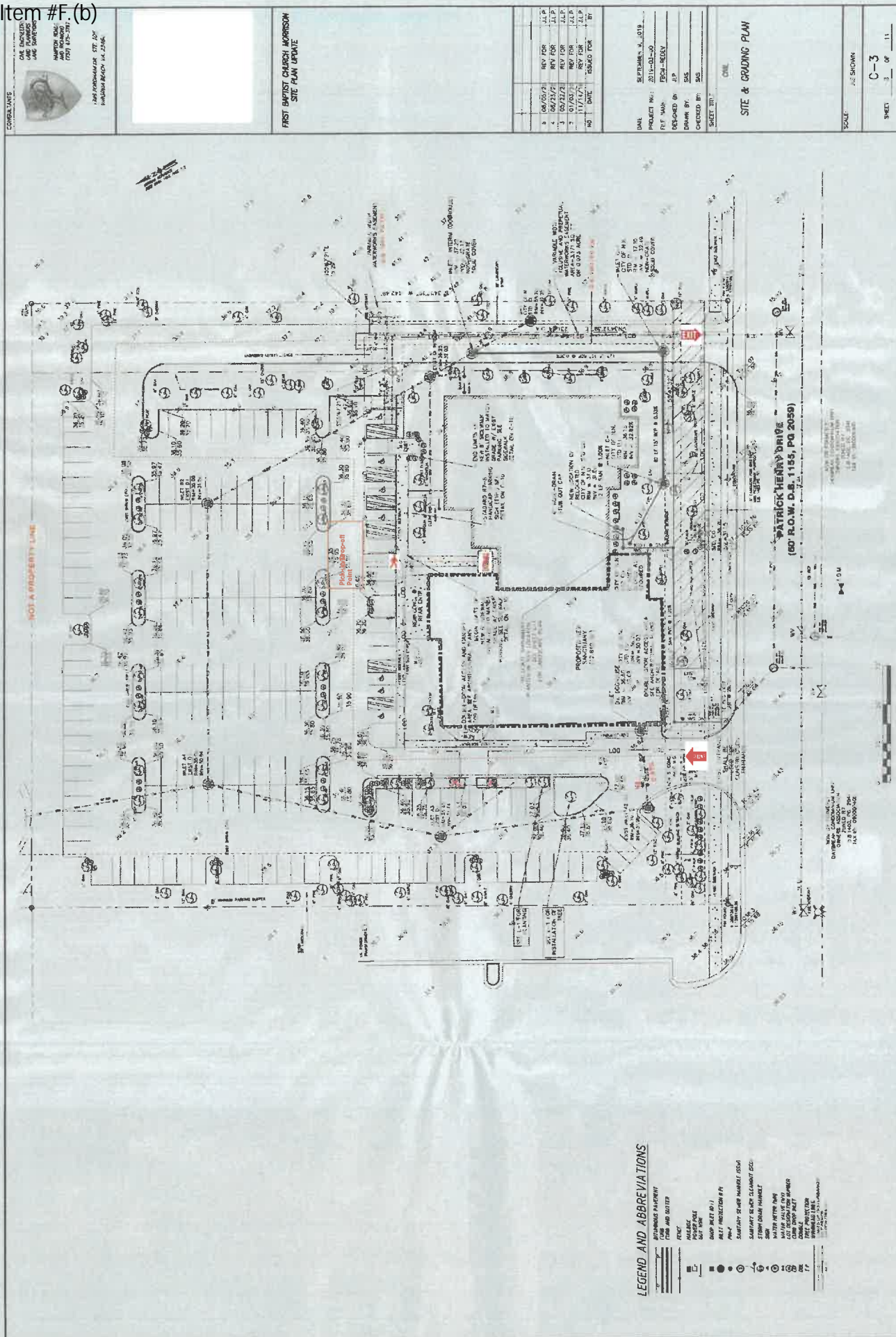
Conditional Use Permit
CU-2023-0009

Owner/ Applicant: First Baptist Church Morrison
Location: 12720 Patrick Henry Drive
Acreage: 7.51 Acres



Legend

- CU-2023-0009
- One City, One Future 2040 Land Use*
- NATURAL AREA / OPEN SPACE
- HIGH DENSITY RESIDENTIAL
- COMMUNITY COMMERCIAL
- OFFICE
- INDUSTRIAL
- COMMUNITY FACILITIES
- MIXED USE



CONSTRUCTION DRAWINGS FOR:

First Baptist Church Morrison

DAYCARE DESIGNATION
12720 PATRICK HENRY DRIVE
NEWPORT NEWS, VA 23602

BARNES DESIGN GROUP, P.C.

ARCHITECTURE
INTERIOR DESIGN
VISION CASTING
CHURCH SPECIALISTS
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SHEET CONTENT:
MULTI-PURPOSE CLASSROOM
LAYOUT

ARCHITECT'S JOB NO.: 23787.0
CONSULTANT'S JOB NO.:

REVISION DATES:
1: SEPTEMBER 27, 2023

AUGUST 31, 2023

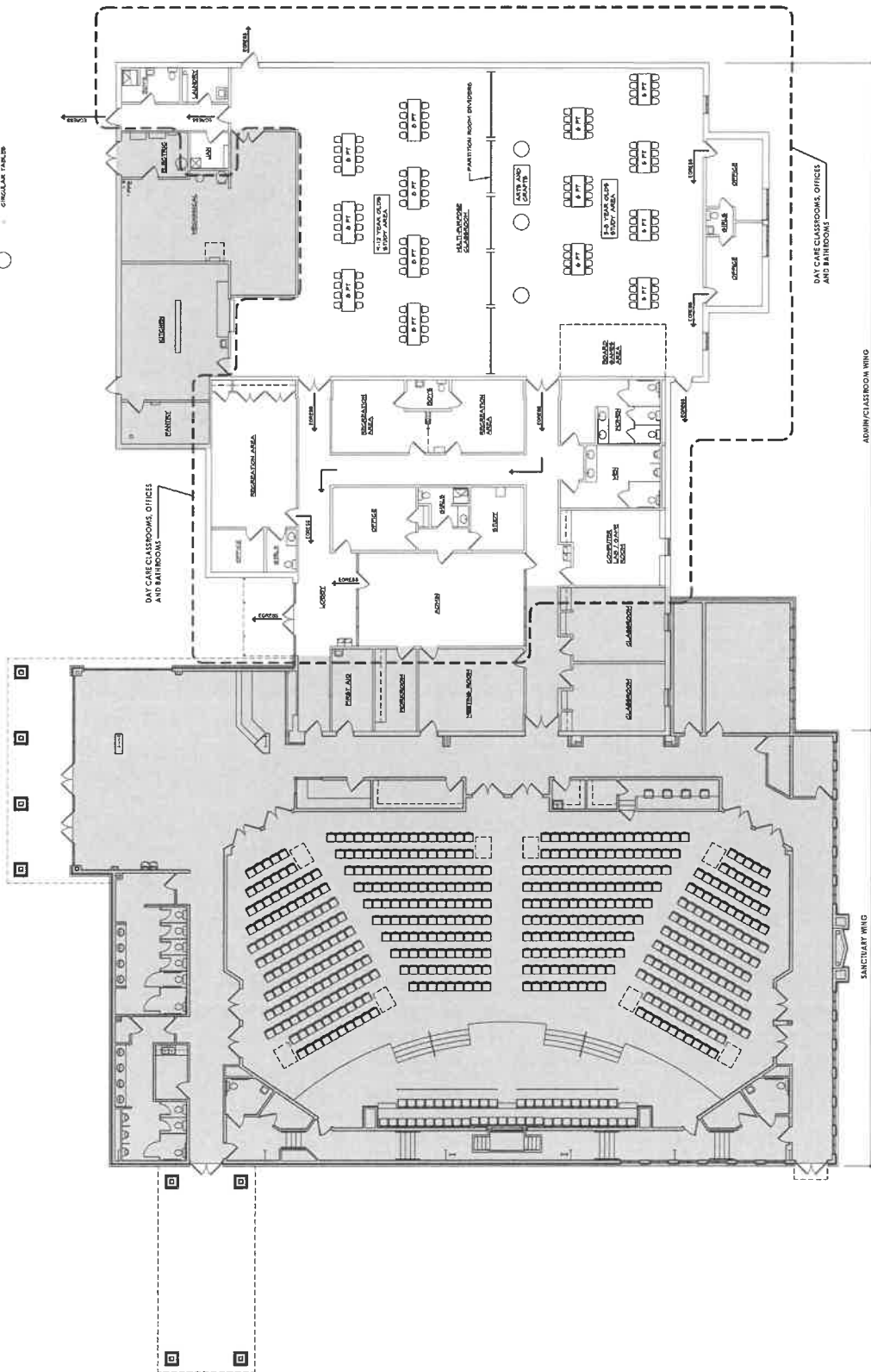


ARCHITECTURAL
A1.1



LEGEND

- REVISION: MULTI-PURPOSE CLASSROOM USE LAYOUT ADDED
- REGULATORY AREAS NOT USED FOR DAY CARE
- 8' FOOT TABLE WITH CHAIRS
- 10' FOOT TABLE WITH CHAIRS
- SINGULAR TABLES



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MULTI-PURPOSE CLASSROOM LAYOUT

1/8" = 1'-0"



BUSINESS PLAN FOR DEVELOPMENT OF A CHILDCARE CENTER

First Baptist Church Morrison proposes to expand its ministry to operate a Before- and After-School Childcare Center for elementary and middle school students as a religiously exempt childcare center under Code of Virginia Section 22.1-289.031. The Center would be housed in the multi-purpose room of the church building and operate under the auspices of the church as an integral part of the ministry programs of First Baptist Church Morrison. The financial activity of the ministry would be included in the church's operating financial statements, and the Center would be protected under the church's insurance policy. The Church would provide pastoral oversight of aspects of the Center's programs as well as administrative support to assist with security, communications and marketing. Governance would be provided through the Board of Directors of the church.

Facilities: The facility, located at 12720 Patrick Henry Drive, is approximately 12,542 square feet, which 6,024 square feet would be used for the Before and After School program. This facility provides separate spaces for each of the age groups, a computer lab, three recreational rooms, a kitchen, and seven bathrooms.

Operating Hours/Capacity: Childcare services will be provided from 6:00 a.m. to 9:00 a.m., and from 3:00 p.m. to 6:00 p.m. Monday through Friday. The Center will be closed on holidays and teacher training days established by Newport News Public Schools. A snack will be available in the morning and afternoon care periods. A flat weekly rate would be charged for childcare, along with a supplement if meals are desired. The maximum number of children to be in care at FBCM at any time is 115. Children would be supervised at all times in accordance with the following standards for child to staff ratios:

AGE GROUP	STAFF TO CHILDREN RATIO
5 years to 9 years old	1 staff to 18 children
9 years to 12 years old	1 staff to 20 children

Staffing: We seek to develop a staff composed of motivated individuals that have a heart for the Lord and sincerely desire to serve young children with excellence. Staff members will be hired in compliance with the state requirements for religiously exempt centers at a minimum. Certifications for all staff will include

BUSINESS PLAN FOR DEVELOPMENT OF A CHILDCARE CENTER, Page 2

the Preservice Child Care Training on Health and Safety offered through the Virginia Department of Social Services. Led by a Program Director holding the minimum of a Bachelor's Degree in a child-related field, the Center will provide Program Leaders for each of the age groups, as well as aides to provide a robust program while maintaining the required staff-to-children ratios throughout all activities. All staff members, both paid and volunteer, will undergo the following background checks:

- A sworn statement or affirmation
- A national criminal history search
- A search of the child abuse and neglect registry in Virginia
- A search of the child abuse and neglect registry in any other state a person has lived in the past five years, and
- A background check conducted by First Baptist Church Morrison

In accordance with State requirements, all staff members will provide documentation by a practicing physician to be free from any disability which would prevent them from caring for children under their supervision and evidence of a negative tuberculosis screening. A person trained in first aid and cardiopulmonary resuscitation (CPR) will be present whenever children are present. In addition to the personnel that have direct contact with the children, the Center will provide administrative, security, kitchen, and cleaning staff to assure the appropriate level of support services.

Intake and Dismissal: The Child Care Center will primarily serve students enrolled in Newport News Public Schools zoned for the area of the church or students enrolled in Magnet programs in NNPS. Parents would arrange to have NNPS pick up their child at the designated entrance of our facility mornings for transport to school and return the child to the Center at the end of the school day. Children will be escorted to and from buses.

For parents, curbside dropoff and pickup will be available. Children will be checked in and out by Center staff. Parents will drive into the designated pickup/drop off area and staff will meet children at the vehicle. For pickup, parents will drive into the pickup/dropoff area and request their child with appropriate ID. Staff will radio for the child to be readied for pickup and the child will be escorted to the vehicle.

Conclusion: High quality programs are very important to management. The management and staff will handle every detail to make sure the children's experience is fun and educational, all in a safe environment. All this and the great atmosphere will make customers want to tell their friends about their experience.

DAILY SCHEDULEBEFORE SCHOOL SCHEDULE

5:50 a.m. – 6:15 a.m.	Arrival/Attendance
6:15 a.m. – 6:45 a.m.	Breakfast Snack
6:45 a.m. – 7:15 a.m.	Arts & Craft
7:15 a.m. – 7:30 a.m.	Free Play
7:30 a.m. – 8:00 a.m.	Departure

AFTER SCHOOL SCHEDULE

3:50 p.m. – 4:15 p.m.	Arrival/Attendance
4:15 p.m. – 6:00 p.m.	Indoor Play - Large Motor Activities (groups every 30 minutes)
4:15 p.m. – 5:00 p.m.	Study/Homework
5:00 p.m. – 5:15 p.m.	Snack
5:15 p.m. – 5:45 p.m. homework)	Free Time (games, reading, additional
5:45 p.m. – 6:00 p.m.	Departure/Parent Pick-up