CONSENT

An application of Hollomon-Brown Funeral Home, Inc. for a Change of Zoning (R-5D Residential District to Conditional O-2 Office District) on property located at 1461 Kempsville Road, District 2, Kempsville. GPIN: 14653701720000.

PROFFERS

PROFFER 1:
When developed, the Property shall be developed in substantial conformity with the conceptual site plan entitled, “Conceptual Site Layout Plan Of Kempsville RD Offices Virginia Beach, Virginia,” dated June 23, 2015, and prepared by MSA, P.C. (the “Concept Plan”), a copy of which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning.

PROFFER 2:
The office buildings developed on the Property, when constructed, will be designed in a colonial architectural style, and the color and quality of the roof and other building materials shall be substantially compatible with the Hollomon-Brown Kempsville Chapel, which is depicted on the photograph labeled Hollomon-Brown Kempsville Chapel, dated June 15, 2015, which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning.

PROFFER 3:
The office buildings developed on the Property, when constructed, shall not exceed thirty-five (35) feet in height.

PROFFER 4:
When developed, the freestanding signage on the Property shall be limited to one (1) low-level monument style sign which shall not exceed eight feet (8’) in height, will be externally lit, and will be constructed using materials of a color and quality that is substantially compatible with that used for the office buildings on the Property. An elevation drawing of the monument style sign shall be submitted to the Planning Director for approval prior to obtaining a permit for its installation. A permit shall be obtained from the Planning Department, Zoning Division, for all signage located on the Property.

PROFFER 5:
Further conditions lawfully imposed by applicable development ordinances may be required by the Grantee during detailed Site Plan and/or subdivision review and administration of applicable City Codes by all cognizant City agencies and departments to meet all applicable City Code requirements.
A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 1.

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By a vote of 10-0, the Commission approved item 1 by consent.

R.J. Nutter appeared before the Commission on behalf the applicant.
Item #2
Rachelle M. Katzmiller
Conditional Use Permit
805 Saint George Court
District 5
Lynnhaven
September 9, 2015

CONSENT

An application of Rachelle M. Katzmiller for a Conditional Use Permit for (home occupation – personal trainer) on property located at 805 St. George Court, District 5, Lynnhaven. GPIN: 14884290280000.

CONDITIONS

1. Per Section 234 of the City Zoning Ordinance, there shall be no more than one (1) sign identifying the home occupation. Said sign shall be no more than one (1) square foot in area, shall not be internally illuminated, and shall be mounted flat against the wall of the residence.

2. Per Section 234 of the City Zoning Ordinance, no more than 20 percent of the floor area of the dwelling unit and any accessory structures shall be used in the conduct of the activity.

3. The use shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than would normally be expected in the neighborhood under normal circumstances wherein no home occupation exists.

4. The home occupation shall be conducted on the premises which is the bona fide residence of the principal practitioner.

5. There shall be no sales to the general public of products or merchandise from the home.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 2.

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By a vote of 10-0, the Commission approved item 2.

The application Rachelle Katzmiller appeared before the Commission.
CONSENT

An application of PI Telecom Infrastructure T, L.L.C. for a Conditional Use Permit (communications tower-monopole) on property located at 2824 Princess Anne Road, District 7, Princess Anne. GPIN: 14944687550000.

CONDITIONS

1. The site shall be developed substantially in conformance with the submitted plan package entitled “Parallel Infrastructure, Proposed 120’ Monopole In A New Fenced Compound, Virginia Beach Municipal Complex #2,” prepared by BC Architects/Engineers, dated February 18, 2015, which plan package has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning.

2. Subject to the submission of a full structural report that shall be submitted during final site plan review, the tower shall be designed to accommodate a total of four users in order to provide for future co-location opportunities.

3. A depiction of the location of required FCC hazard safety signage on the site and sign diagrams shall be required during detailed site plan review.

4. As required by Section 202 of the City Zoning Ordinance, the applicant shall obtain a Determination of No Hazard (DNH) to Air Navigation from the Federal Aviation Administration / Obstruction Evaluation office (FAA/OE) and shall submit a copy during detailed site plan review. No building permit shall be issued until the tower is determined to be no hazard to air navigation.

5. The species of the plant material installed on the property as shown on the exhibit entitled, “Landscaping Plan, Virginia Beach Municipal Complex #2,” shall be subject to the approval of the Development Services Center, Landscape Architect. Any modifications to the Landscaping Plan, as required by the Landscape Architect shall be depicted on the final plan. In the event that any of the plant material required by section 232 (b) (8) (i) of the City of Virginia Beach Zoning Ordinance dies or becomes diseased, said plant material shall be replaced with the same species or a species approved by the Development Services Center, Landscape Architect. All plant material shall be properly maintained and allowed to grow to a height so as to provide an effective screen of the compound’s fence and equipment.

6. To the degree practicable, the applicant shall preserve the mature trees on the site as much as possible, in lieu of clearing and re-planting trees.
A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 3.

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By a vote of 10-0, the Commission approved item 3 by consent.

Lisa Murphy appeared before the Commission on behalf of the applicant.
CONSENT

An application of Larae Tucker for a Conditional Use Permit (fuel sales with convenience store) on property located at 3001 Silina Drive, District 6, Beach. GPIN: 14961968710000.

CONDITIONS

1. The site shall be developed in substantial conformance with the submitted Plan entitled “SILINA DR., PRELIMINARY LAYOUT PLAN,” dated June 30, 2015, prepared by Blakeway Corp. Said plan has been exhibited to the City Council and is on file in the City of Virginia Beach Planning Department.

2. The buildings shall be developed in substantial conformance with the submitted elevation drawing entitled “7-ELEVEN STORE S. LYNNHAVEN & SILINA DRIVE, VIRGINIA BEACH, VA 23452” dated April 24, 2015, prepared by K2M Design. Said elevation has been exhibited to the City Council and is on file in the City of Virginia Beach Planning Department.

3. Except as modified by any other condition of this Conditional Use Permit, specifically Condition 4(c) below, the fuel canopy shall be constructed in substantial conformance with the elevation drawing entitled “3X3 KEYSTONE GAS CANOPY,” dated May 6, 2015, prepared by Cummings. The fuel canopy supports shall be wrapped in brick to match the building, as shown on the submitted elevation referenced in Condition 2, above. Said elevations have been exhibited to the City Council and are on file in the City of Virginia Beach Planning Department.

4. Signage for the site shall be limited to:
   a. Directional Signs
   b. One (1) monument-style freestanding sign, no more than eight (8) feet in height, set on a brick base to match the building brick and two (2) building and/or canopy signs.
   c. Striping on canopy shall be limited to ten (10) feet on each side of the canopy or one-quarter of the length of each side. Signage on the canopy shall not be internally or externally illuminated.
   d. There shall be no other signs, neon signs, or neon accents installed on any wall area of the building, on the windows and/or doors, canopy, light poles or any other portion of the site.

5. The freestanding sign shall be monument style and constructed in substantial conformance with the elevation entitled, “M16/L16 MONUMENT,” dated May 6, 2015, prepared by Cummings. Said elevation has been exhibited to City Council and is on file in the City of Virginia Beach Planning Department.
6. Except as modified by any other condition of this Conditional Use Permit or as necessary to comply with applicable City development ordinances and standards, the plant materials shall be installed in substantial conformance with the Plan referenced in Condition 1 above.

7. The dumpster shall be enclosed with a solid brick wall in a color to match the building and any required screening shall be installed in accordance with Section 245 (e) of the City Zoning Ordinance.

8. No outdoor vending machines and/or display of merchandise shall be permitted.

9. Designated bicycle parking shall be provided at a location easily accessible to the entrance to the convenience store.

10. A Lighting Plan and/or Photometric Diagram Plan shall be submitted during detailed Site Plan review. Said Plan shall include the location of all pole-mounted and building-mounted lighting fixtures and the listing lamp type, wattage and type of fixture. Lighting shall overlap and be uniform throughout the parking area. All lighting on the Site shall be consistent with those standards recommended by the Illumination Engineering Society of North America. The Plan shall include provisions for implementing low-level security lighting for non-business hours.

11. Any vacuum or air pump machines shall be screened with evergreen plant material, of a size and species acceptable to the Development Service Center’s Landscape Architect, all of which shall be depicted on the final Site Plan.

12. Pedestrian walkway(s) to the convenience store shall be provided as depicted on the Plan identified in Condition #1 above and from any required sidewalks in the public rights-of-way in accordance with Section 246 (d) of the Zoning Ordinance and shall be depicted on the final Site Plan.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 4.

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By a vote of 10-0, the Commission approved item 4 by consent.
Jean Mumm appeared before the Commission on behalf of the applicant.
Item #5
Ship Cabin Club, Inc.
Enlargement of a Non-Conforming Use
1117 Shipps Cabin Road
District 7
Princess Anne
September 9, 2015

CONSENT

An application of Ship Cabin Club, Inc. for an Enlargement of a Nonconforming Use and Structures on property located at 1117 Shipps Cabin Road, District, Princess Anne. GPIN: 24202789880000.

CONDITIONS

1. Except as modified by any other condition of this approval or as necessary to comply with applicable City development ordinances and standards or the requirements of the Joint Permit Application, the site shall be developed in substantial conformance with the submitted site plan entitled, “SITE PLAN OF PROPOSED BOATHOUSE & ACCESS PIERS PROJECT, APPLICANT: SHIP CABIN CLUB, 1117 SHIPPS CABIN ROAD, VIRGINIA BEACH, VA 23456,” dated May 13, 2014, prepared by Marine Engineering. Said plan has been exhibited to the City Council and is on file in the City of Virginia Beach Planning Department.

2. Upon approval of this application, the applicant shall obtain all necessary approvals from all applicable federal, state and City agencies.

3. All required permits shall be obtained from the Planning Department, Permits and Inspections Division for the work to be completed on the site.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 5.

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By a vote of 10-0, the Commission approved item 5 by consent.

Richard Katz appeared before the Commission on behalf of the applicant.
CONSENT

An application of Larae Tucker for a Conditional Use Permit for fuel sales with convenience store on property located at 2456 Virginia Beach Boulevard, District 6, Beach. GPIN: 14978522360000.

CONDITIONS

1. The site shall be developed in substantial conformance with the submitted Plan entitled “HUTTON LANE, PRELIMINARY LAYOUT PLAN,” dated June 30, 2015, prepared by Blakeway Corp. Said plan has been exhibited to the City Council and is on file in the City of Virginia Beach Planning Department.

2. The buildings and the fueling area canopy shall be developed in substantial conformance with the submitted elevation drawings entitled “7-ELEVEN STORE 2456 VIRGINIA BEACH BLVD., VIRGINIA BEACH, VA 23454” dated 6/25/15 and revised 8/13/15, prepared by K2M Design. Said elevation drawings have been exhibited to the City Council and are on file in the City of Virginia Beach Planning Department.

3. Unless otherwise limited by the provisions of the Zoning Ordinance, signage for the site shall be limited to:
   a. Directional Signs
   b. One (1) monument-style freestanding sign, no more than eight (8) feet in height, set on a brick base to match the base brick of the building and two (2) building and/or canopy signs.
   c. Striping on canopy shall be limited to ten (10) feet on each side of the canopy or one-quarter of the length of each side. Signage on the canopy shall not be internally or externally illuminated.
   d. There shall be no other signs, neon signs, or neon accents installed on any wall area of the building, on the windows and/or doors, canopy, light poles or any other portion of the site.

4. Except as modified by any other condition of this Conditional Use Permit or as necessary to comply with applicable City development ordinances and standards, the plant materials shall be installed in substantial conformance with the Plan referenced in Condition 1 above.

5. The dumpster shall be enclosed with a solid brick wall in a color to match the building and any required screening shall be installed in accordance with Section 245 (e) of the City Zoning Ordinance.

6. No outdoor vending machines and/or display of merchandise shall be permitted.

7. Designated bicycle parking shall be provided at a location easily accessible to the entrance to the convenience store.
8. Any vacuum or air pump machines shall be screened with evergreen plant material, of a size and species acceptable to the Development Service Center’s Landscape Architect, all of which shall be depicted on the final Site Plan.

9. Any mechanical equipment, including utility transmission and meter boxes on the facades facing Hutton Lane and Virginia Beach Boulevard shall be painted in the same color as the façade on which the box is mounted (to the extent allowed by the equipment owner). Said equipment and/or utility boxes shall be screened by landscaping specifically planted for that purpose. Such plantings shall be shown and identified on the Landscape Plan submitted during the Development Review Process.

10. As provided for by Section 221(i) of the Zoning Ordinance, upon finding that there is good cause shown and that there will be no significant detrimental effects on surrounding properties, permit deviations from the setback, lot coverage, landscaping and minimum lot area requirements and height restrictions, except as provided in Section 202 (b), the front yard setback on Virginia Beach Boulevard is set at ten feet and the side yard setback adjacent to Hutton Lane is set at five feet.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 6.

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By a vote of 10-0, the Commission approved item 6 by consent.

Jean Mumm appeared before the Commission on behalf of the applicant.
Item #7
Allsafe Storage, L.L.C.
Conditional Use Permit
Modification of Proffers
1325, 1335, 1345 Oceana Boulevard
District 6
Beach
September 9, 2015

REGULAR

An application of Allsafe Storage, L.L.C. for A. Modification of Proffers approved by City Council on May 9, 2006, and B. Conditional Use Permit (mini-warehouse) on property located at 1325, 1335 & 1345 Oceana Boulevard, District 6, Beach. GPINS: 24154878350000; 24154867740000; 24154887400000; 24154866630000.

PROFFERS

PROFFER 1: Proffer Number 1 is hereby amended to state in its entirety as follows:

When the Property is developed, it shall be developed and landscaped substantially as shown on the exhibit entitled “ALLSAFE SELF STORAGE 1345 OCEANA BOULEVARD PRELIMINARY SITE PLAN” prepared by Johnson, Mirmiran & Thompson and dated June 16, 2015, which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning (hereinafter “Site Plan”).

PROFFER 2: Proffer Number 2 is hereby amended to state in its entirety as follows:

When the Property is developed, the architectural style and quality of materials used for the retail buildings located on the Property shall be substantially compatible with the exhibit entitled “Gatling Retail Oceana Boulevard Virginia Beach, Virginia” prepared by Freeman Morgan Architects and dated June 22, 2015. When the Property is developed the architectural style and quality of materials used for the self storage building located on the Property shall be substantially compatible with the elevations entitled “Proposed Self Storage System For: All Safe Self Storage David Gatling Virginia Beach, Virginia” prepared by Trachte Building Systems, Inc. and dated June 18, 2015. These exhibits have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning.

PROFFER 3:

All other covenants, restrictions and conditions proffered as part of the Original Proffers shall remain unchanged and are incorporated herein by reference.

PROFFERS APPROVED ON MAY 9, 2006

PROFFER 1:
When the Property is developed, it shall be developed and landscaped substantially as shown on the exhibit entitled “OCEANA NORTH BY 1345 OCEANA LLC”, prepared by Martin & Martin Architecture, Inc., dated Nov. 1, 2005, which has been exhibited to the Virginia Beach City Council and is on file with the
PROFFER 2:
When the Property is developed, the exterior of the commercial center shown on the Site Plan shall be substantially similar in appearance to the elevations shown on the exhibit entitled “Oceana North For Wright Dean Development Corp., Oceana Boulevard, Virginia Beach, Virginia”, prepared by Martin & Martin Architecture, Inc., which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning (hereinafter “Oceana North Elevations”). [PROFFER AMENDED WITH THIS APPLICATION.]

PROFFER 3:
When the Property is developed, only freestanding monument style signage may be erected on the Property, constructed with a base matching the material and predominant color of the buildings as depicted on the Oceana North Elevations. All building mounted signage shall be channel letters on a raceway (i.e. no block signs) and only the lettering may be illuminated.

PROFFER 4:
All outdoor lighting shall be shielded, deflected, shaded and focused direct light down onto the premises and away from adjoining property.

PROFFER 5:
Further conditions may be required by the Grantee during detailed Site Plan review and administration of applicable City codes by all cognizant City agencies and departments to meet all applicable City code requirements.

CONDITIONS – CONDITIONAL USE PERMIT

1. Vehicle storage on the site shall be limited to the fenced area at the rear of the mini-warehouse building. Only licensed and operable motor vehicles including cars, recreational vehicles and boats shall be permitted to be stored outside of the building. Vehicles being stored on the site shall be stored within the designated parking spaces at the rear of the mini-warehouse building. No construction equipment shall be permitted to be stored in the exterior storage area. There shall be no storage containers permitted on the site.

2. All outdoor lighting shall be low intensity and residential in character. Consistent with Section 237 of the City Zoning Ordinance, all outdoor lighting shall be shielded to direct light and glare onto the premises. Said lighting and glare shall be deflected, shaded, and focused away from the adjoining property. Any outdoor lighting fixtures shall not be erected any higher than fourteen (14) feet.

3. There shall be no generators (electric, gas or powered by another source) permitted outside of the building.

4. No barbed wire, razor wire, or any other similar fencing devices shall be installed on the roof or walls of the building or on the fence surrounding the building or property.

5. Any freestanding monument-style sign shall not exceed eight (8) feet in height and shall be constructed using materials to match the building. All signage shall be externally lit and no neon
lighting visible from the adjoining properties shall be permitted to be placed on the property. A permit shall be obtained from the Planning Department, Zoning Division, for all signage added to the site.

6. The storage facility shall not be used for any purpose other than the storage of goods and vehicles (as identified in Condition 1). No person shall be permitted to reside at the facility, and no other repair, retail, or other similar business shall be conducted on the site.

A motion was made by Commissioner Hodgson and seconded by Commissioner Inman to approve item 7.

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By a vote of 9-1, the Commission approved item 7.

R.J. Nutter appeared before the Commission on behalf of the applicant.
Item #8
Wal-Mart Real Estate Business Trust
Conditional Use Permit
550 First Colonial Road
District 6
Beach
September 9, 2015

CONSENT

An application of Wal-Mart Real Estate Trust for a Conditional Use Permit for automobile repair establishment on property located at 550 First Colonial Road, District 6, Beach. GPIN: 4078766550000.

CONDITIONS

1. The automobile repair facility shall be located on the site and within the building substantially as shown on the plan titled “Conditional Use Permit for Walmart,” prepared by Bohler Engineering, and dated 5/28/15.

2. The exterior appearance of the automobile repair facility shall be substantially as shown on the drawing labeled “Right Elevation” on the submitted architectural sheet titled “Walmart, Virginia Beach (NE), VA #5922 (Take Over) Proposed Elevation with TLE,” prepared by P+R Architects, and dated June 12, 2015.

3. There shall be no display or storage of parts or tires outside of the building at any time.

4. There shall be no repair of vehicles outside of the building at any time.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 8.

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By a vote of 10-0, the Commission approved item 8 by consent.

Tom Kleine appeared before the Commission on behalf of the applicant.
An application of John & Randi Vogel / Hunt Farm Club for a Modification of the conditions of the Modification of a Conditional Use Permit – approved by the City Council on December 2, 2014 on property located at 2388, 2400, 2412 & 2416 London Bridge Road, District 7, Princess Anne. GPIN: 24059006070000; 24058121850000; 24059141550000; 24059164380000.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to defer item 9.

By a vote of 10-0, the Commission deferred item 9.
Item #10
RV Management Services – VB, L.L.C.
Modification of Conditions
161 Princess Anne Road
District 7
Princess Anne
September 9, 2015

REGULAR

Jeff Hodgson: Will you please call the next item.

Phil Russo:  Mr. Chairman, our next application is item 10.  An application of RV Management Services - VB, L.L.C. for a Modification of Conditions of a Conditional Use Permit approved by City Council on November 8, 2005, on property located at 161 Princess Anne Road, District 7, Princess Anne.

Eddie Bourdon: Thank you Commissioner Russo.  Mr. Chairman and members of the Commission, for the record, Eddie Bourdon, a Virginia Beach attorney representing RV Management Services, VB, L.L.C. Mr. Phillip Moreau, who is the principal of the applicant entity, is here, along with the property’s manager, Ms. Kathy Morton.  Mr. Moreau has decades of experience in the high-end RV park development and management throughout the United States. He has developed countless parks and this will be his eighth site in the United States, some on the east coast and some in the western part of the country. They are all, and staff has all of this information, all of his parks are rated under ‘Good Sam Parks’ highest rating. They are way above anything that we have, certainly at this site, and in the city, as a whole, for that matter. And based on the site plan that we referred to, and what was done back in 2005. He just bought it this year, and is doing a great job of upgrading the facility. As Carolyn mentioned this morning, back in 2005, the number of sites was reduced to 202 from 300 plus, I think it was 306 sites. Now, what he is doing and, there are other things that are not included in the application because they are allowed by right, I want to point out. They are adding a miniature golf facility golf course. They are adding a pickle board court, a child’s playground area with equipment, a hot tub adjacent to a very large existing pool up in the front of the site, a volleyball court down by the beach, and another child’s playground down by the beach area. Those are all outdoor recreation facilities that are permitted under the original Use Permit for the park. The indoor recreation building is the largest of the new buildings. It is one of the buildings being proposed, again, out by Princess Anne Road, and then the crafts and games building that you have elevations for, and the whole nine yards for that. The little beach shack, you can have someone there to monitor the beach and make sure that only registered campers are using the beach, and what have you, also is included along with the upgraded trash screening area. It is all referenced clearly in the report so structures that were not on the original plan is why we’re here for the modification. The other thing they are adding. This is a going to be very high end facility. And it is very clear from all the information that has been provided on what they are doing out there. They are also requesting to add a small area up in the front for both scouts and church groups, that area is and has been for years, unfortunately, because it is very visible, a storage area. This area has been a storage area where they have stored RVs, equipment, etc., and it is right on Princess Anne Road. That is being eliminated. They didn’t have any indoor storage and they are building these two storage buildings back here, which were part of this, that is totally screened. You can’t even see them from Princess Anne Road, and really not too much from even the campground itself. This area they propose, a little like you see at our City parks, a picnic area, a shelter and a couple of pergolas, and there will be tent camping here. There are also the smaller RV camps for the scout leaders or church leaders to stay when they have a group. There will be tent camping in this area. If you go to the slide
that shows the aerial view of the property without the site plan super imposed. I want to point out there is a treed buffer here that is not going anywhere. You can see some of the stuff has been stored here. This is an older picture. That is all eliminated. This will be, again, very nice attractive, supremely upgraded appearance than what’s been out here for years. And this is the area for the scout but then these trees will remain. There is also, beyond it a ditch, and then the property to the south is fenced, and I understand, cows and livestock that are kept on this property to the south, and you will hear from the owner of the property who is here. But, all of these improvements ensure this will be a first rate facility. It has been improved over the years. I have some knowledge of the previous owners. They did improve it to what was there before, but not even anything close to what we’re talking about with this application. All of the conditions that staff has recommended with the modification and language to Condition 9 are acceptable to us. We appreciate the fact that this item was originally on the consent agenda. I will reserve the opportunity to speak after the folks who have signed up have spoken. I’ll be happy to answer any questions that anybody may have.

Jeff Hodgson: Are there any questions for Mr. Bourdon? Thank you sir.

Phil Russo: Mr. Chairman, our first speaker in opposition is Charlotte Smith Worley.

Jeff Hodgson: Good afternoon.

Charlotte Worley: Good afternoon. Charlotte Smith Worley. I represent KW Smith Family Partners, the owner of the farm that is south of the applicants’. I guess you would say that I am on the fence because my fence is the concern right now with my livestock. We have a wooden fence, hot wire on the top, and my concerns have been based upon what has happened in the past. And we don’t want those problems in the future. So, as opposition, it is questionable because I do know the changes the present owners have made. It is remarkable how it has improved over the years. My father purchased the land back in the 60s, and we have seen improvements continuously on that. We have spoken to the management. Our concern is the camp area. The camp area mainly because I grew up in an era where cow tipping and such things have been an issue, and I certainly don’t want my cows tipped, and that is their pasture area right there. So, they have ensured me there is security. I am concerned because of Princess Anne Road. Our property, of course fronts 129 Princess Anne Road, is the concern for my livestock. My farm manager is here. He lives on the property which if on the aerial you can see our barn area. But I’ve got hundreds of thousands dollars invested on improvements over the years. I have been assured that those concerns are going to be addressed. I would like to see more of a buffer area so that church or scouts would not decide to use our property for part of their recreation. You know, we are in the country, and some of those kids that come out there or some of the people that come out there have never been in the country. Have never been close to a cow and I don’t want them to get close to my cows. The baby bulls, the mothers. That is my concern.

Jeff Hodgson: Have you had a problem with that in the past?

Charlotte Worley: Yes sir, I have. And part of the problem, is of course, when my father purchased the land years ago, it was country. I have Sandy Point, which used to be something else on the other side, the Sandy Point people coming over. They have stopped that, and; so, it is just a concern.

Jeff Hodgson: Are there any questions for Ms. Worley?

Phil Russo: Can you point to where your property is?
Charlotte Worley: Yes sir.

Jeff Hodgson: There is a pointer ma’am. Hopefully it will work.

Charlotte Worley: Yes, right there. Thank you.

Phil Russo: Now you say your property is fenced off between...

Charlotte Worley: The road. You see the pasture (pointing to PowerPoint), and then the back part and then that comes on around. Alright. The fence goes here all the way around here and on back here. This is where my farm manager lives, right here. That is my barn. This property right here is all pasture. My hay fields are on the other side. But that pasture is all my summer pasture. And right now, of course, this doesn’t show where it shows now, but we had a problem at first with Sandy Point coming across and that has been stopped. It helps when you don’t have the manager of the RV park here that are part of the Sandy Point people, but we’ve had our fence cut, and I don’t want my cows in the road. You don’t want my cows in the road, and I don’t want my livestock hurt, so that is my concern. The owners, and RV Management have assured me that’s not going to happen, but I needed to express my concerns from what has happened in the past.

Phil Russo: Do you have “no trespassing” signs up?

Charlotte Worley: We don’t at the present. We had not on that side but they will be added. And some of the property back there is also hunted so...

Jeff Hodgson: Did you say your fence is electric?

Charlotte Worley: Well, just the top tiny wire and I believe it does set off a wave. The top wire is electric. Yeah. Not enough to knock anybody off their feet. Are there any other questions?

Dave Weiner: What kind of buffer is there now? Is there just a tree line?

Charlotte Worley: We have some grass and trees and some insignificant trees and a ditch.

David Weiner: Is that it right there?

Charlotte Worley: On the other side.

David Weiner: Yours is on the other side of the tree line?

Charlotte Worley: This is Steve Kent, my farm manager, who also lives on the property.

Steve Kent: I can answer a few questions. The hot wire...

Jeff Hodgson: Please state your name real quick for the record.

Steve Kent: Steven Kent. I’m the onsite farm manager for 129 Princess Anne Road, right next door to the current ground. She said there is a hot wire on it, but it is low to the ground because we do have the
calves, and it is on the inside about a foot hanging off the fence towards the inside. So, it is not like you're going to really, got to reach your way through into the fence to touch this hot wire, so it is not the fence exactly. So, I've got it stood off to the inside of the fence this far, so that is no problem. My concern is the cuteness of baby calves. Everybody sees the baby calves, and they say let’s go over here, and check them out, and my concern is that I would just like to see a small amount of buffer there for future; so, if we do have a problem, and everything is done. It has been a great job and he’s worked with us, and our concerns have always been answered; so, I feel these would be addressed also but the problem is I just need to have it conditioned down here. We have a slight buffer to here and if we do have a problem they could put up an extra fence on their side of the property so that they can’t easily just say “Hey, what a cute cow!” These cows are very friendly. They will eat bread out of your hands. We have a 2,000 pound bull but they will protect those babies, and there is no doubt they will protect them. I have been trampled several times messing with these babies.

Jan Rucinski: So you just something that will comply.

Steve Kent: I’d just like a slight buffer that in case in the future we do have problems with people that we can put something through there. There is a fence line. There is probably 4-feet before the ditch, and then there are trees on his side of the property. There really are not any trees on our side between the ditch and our fence. But most of these trees are already rotten and are getting ready to fall down. I have to take this fence down and address some of these trees that are getting ready to fall down because in heavy wind they will fall down, and they will come down constantly over there. It’s getting to the point where I need to take out all of the dead trees. How much that will thin it out? I don’t know. I would just like to see on their side a slightly larger buffer for future problems. Other than that, they have been great neighbors. They are doing a great job out there on the campground. There have been remarkable improvements. I used to have problems with going from one campground to the other campground in the middle of the night, 2 or 3 o’clock in the morning. They get drunk. They run into my fence and will rip a big ole gash right through it. And the babies go right through it. And that’s one of the reasons why I put that hot wire up there and stood it off so far to the inside just for that reason. If someone takes out the fence, there is still that hot wire they have to go through. So, I am pretty well confident that unintentional damage to the fence isn’t going to let the cows out but intentional, which has happened, when they had the storage area over there, they would break into those storage campers, and then to get rid of the stuff, they cut through my fence and go through my field to go along the fence line. I mean they would cut big holes through it, so that is why we had to hot wire. I just want the little extra buffer just in case we have problems.

Jeff Hodgson: We will talk to the attorney to see if we can’t work out something.

Charlotte Worley: They have been very cooperative.

Steve Kent: We are not opposing this at all. We just have some concerns.

Charlotte Worley: That is why I said I was on the fence.

Jeff Hodgson: Are there any other questions?

Dee Oliver: I have a question. Is your fence on the property line right now?
Charlotte Worley: No. Our fence sets inside the property line.

Dee Oliver: Inside. So there’s really nothing between your fence....

Steve Kent: There is our fence about 5 or 6 foot, a slight ditch, a tree line, okay, which I believe, and I am not sure but I think the ditch line is the property line; so, the trees are actually on their property.

Dee Oliver: Is the ditch yours or theirs? It’s the property line? Okay, thank you. I got it.

Steve Kent: The ditch is the property line I believe.

Jeff Hodgson: Is there anybody else? Thank you very much for coming down.

Charlotte Worley: Thank you.

Jeff Hodgson: Are there any other speakers?

Phil Russo: Mr. Chairman that is all the speakers.

Jeff Hodgson: Mr. Bourdon?

Eddie Bourdon: Thank you Mr. Chairman. I appreciate Ms. Smith Worley coming down today, the property owner. I will leave my comments to that one issue. As it has been correctly stated, they have fencing, which makes very good sense with the investment they have in the livestock. Since, Mr. Moreau’s organization has purchased the campground, and the upgrades they are doing, includes a different type of clientele will be using this campground that has been the case in the past. There is during the spring, and summer into September, actually onsite security, which has never been the case in the past. The wooded buffer is fifty feet, as corrected, the ditch is on the property line, and you got the wooded buffer, and that is where the scout camping is proposed. We will gladly post on the wood line “no trespassing signs,” and “violator signs,” and again, Ms. Smith Worley will do the same on her fences, and our security folks will make sure that no one goes over there. Having gone to college many moons ago in Harrisonburg, where there was a lot of cow tipping on the east side of Interstate 81 from some of my fraternity brothers, I don’t think those cows are easily accessible, to go through a somewhat electrified fence, a wood buffer across a ditch that is dry in the summertime, probably isn’t wet unless there have been storms but for the rest of the year is dry. This area also will only be utilized basically from April until the end of September because it is not going to be utilized in poor weather months, and it is not going to be utilized on a daily basis. It is a scenario where it is really for groups, local groups, or even folks coming from out of town. But it is a much lower rate but it is only for groups, not for individuals. The RV’s upgrades are going to be more expensive. No one is doubting they may have had some issues in the past, the same thing with the folks cutting across from the property to the south. It is a different owner. It is a different manager. It is not going to be an issue with these folks. So, if there were to be problems, which I am 99.99% certain there will never be but if there were to be problems, I have no doubt that Mr. Moreau would step up and add an additional fence if that ever became necessary. I don’t anticipate that ever will become necessary to be perfectly candid with you. I know why it potentially was a problem in the past but this is a different ballgame than what’s been out there for the last 45-50 years. I did mention one other thing earlier. This is also 100 % on four square with the Green Sea initiative that you all recommended to Council a month or two ago, and Council has adopted.
It is just the perfect kind of thing to have a company like Mr. Moreau’s come to town and acquire this asset, and upgrade it the way he is and they are doing so. I’ll be happy to answer any questions.

Jeff Hodgson: Are there any questions? Karen.

Karen Kwasny: Is it out of the question to provide that fence now in order to inhibit what is predominantly going to be a “scouting” group using that camping area?

Eddie Bourdon: I think it is over kill, absolute over kill. I don’t think it is going to, and the other thing you got is you got the setback and it can only be 4-feet tall with the setback from the street if you’re going to make it a solid fence. To put another fence that one could cut with wire cutters wouldn’t make any sense; so, we don’t have any issue with agreeing to supplement the tree line, plant additional bushes in there, if trees have died. That kind of thing to bulk that up, but I don’t think it is good for the view going down the street or anything else to be putting up a privacy fence there for something that has yet to be a problem with this operator, and this higher quality of a facility. So, we’re not opposed to it if it ever there was ever a problem, we would certainly, as we indicated, we will work with you if there is ever a problem. We’ll do whatever we can to preclude it but I don’t think.

Karen Kwasny: At this point you wouldn’t put a tree...

Eddie Bourdon: The tree line is there and as the gentleman said there are some dead trees. We don’t have any issues with supplementing that landscaping to add to that so that creates a greater physical barrier than maybe exists today, but I don’t think putting up a privacy fence is a real good way to go. I think trying to modify behavior is a better way to deal with it. Again, I don’t think that is ever going to be an issue with this operator.

Jeff Hodgson: Ms. Oliver.

Dee Oliver: I think I dated some of your fraternity brothers on the cow tipping trips; so, you’re standing here telling me.

Eddie Bourdon: That was a longtime ago. I don’t think your daughters are ever really going cow tipping. My kids didn’t so.

Dee Oliver: I think a little bit thicker of a buffer would probably be a good idea being the fact that it is, as we know, historically that is something that is awfully tempting.

Jeff Hodgson: Are there any other questions for Mr. Bourdon? Are there any other speakers?

Phil Russo: No. There are no other speakers.

Jeff Hodgson: Thank you. We will now close the hearing and open it up for discussion. Would anyone like to begin? Karen?

Karen Kwasny: I happen to agree with Dee. I think that is far too tempting, and I’m not considering taking scouts but I know quite a few scouts, and my son and I think that it is an opportunity for some intermural fun at someone else’s expense. So, I think adding additional buffer is a potential. It is a
gesture but also will inhibit some behaviors coming down the line and it is not waiting for a problem to happen.

Jeff Hodgson: Is there anybody else?

Jack Wall: I would concur. If they can’t see it, if it is something that isn’t quite as tempting, I think I would be in favor of it.

Jeff Hodgson: So, I am hearing that you would like to add in a condition that some extra screening to fill any voids, than what may be existing currently?

Bob Thornton: I think if there was a sign hung on that hot wire that says that this is a hot wire, when you’re out testing scouts, the ones that could read, they would probably not try to cross that wire because if you ever touched one of them, I’ve never tipped a cow, but I have grabbed a hot wire. It is not something you want to do on a regular basis. But anyway, I’m trying to add a little light to this.

Jeff Hodgson: It’s probably running off of house current so it’s pretty strong. Is there anyone else?

Jan Rucinski: I will admit that I had to ask Dave, “what’s cow tipping.” I never heard of it before. I do agree they should add the buffer. I don’t think adding a fence is a good idea especially when you’re camping. You want that “back to nature” sort of thing. I think a fence would detract from that but if there are a lot of trees that are already starting to have to be pulled because they are dead, and I think if the applicant would put more buffer maybe, put a briar patch in, something that would definitely be something you would not want to walk through.

Jeff Hodgson: I think we are getting a nod from the applicant’s representative that they are willing to condition that. I think he hears our concerns. Would anyone like to make a motion?

Karen Kwasny: I would like to make a motion that we recommend for this request for a Modification of Conditional Use Permit with the conditions discussed.

Jeff Hodgson: Mr. Bourdon?

Eddie Bourdon: Does that include the revised wording to Condition 9?

Karen Kwasny: Yes, that includes the revised wording to Condition 9.

Jeff Hodgson: A motion made by Dr. Kwasny. Is there a second?

Dee Oliver: I’ll second it.

Jeff Hodgson: A motion made by Dr. Kwasny and seconded by Commissioner Oliver.

Carolyn Smith: Excuse me. Is there a width that you desire or is this just infill material, or an additional row of something?

Karen Kwasny: I would suggest infill material and an additional row so if there is material that needs to be replaced, that should be replaced first, and then an additional row that would provide an increased
buffer and deterrent.

Jeff Hodgson: I don’t think we’re going to get a nod from the applicant’s representative.

Karen Kwasny: So, we’re not going to get both of those?

Jeff Hodgson: I’m not saying that, I don’t know if we’re going to get the applicant’s representative to agree.

Eddie Bourdon: We’ve got 50 feet already there that is vegetated. We can certainly, and the idea would be to create a solid buffer on our side, add a row and to also supplement it for double duty. We would create a solid buffer that would inhibit people from going through using what is there, and let it grow natural.

Jeff Hodgson: With some No Trespassing signs.

Eddie Bourdon: We will post no trespassing signs on our side of the buffer and the adjacent property owners can do the same thing.

Jeff Hodgson: So, a motion made by Dr. Kwasny and seconded by Ms. Oliver. Carolyn do you have what you need?

Carolyn Smith: I got it. Thanks.

Jeff Hodgson: I think we are ready to vote.

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Ed Weeden: By a vote of 10-0, the Commission approved the application of RV Management Services – VB, L.L.C. with the revised wording of Condition 9 and the modification of the condition of the buffer.

Eddie Bourdon: Thank you.

Jeff Hodgson: Thank you.
Item #11  
Stain Studios  
Conditional Use Permit  
1721 Laskin Road  
District 6  
Beach  
September 9, 2015

CONSENT

An application of Stain Studios for a Conditional Use Permit for a Tattoo Parlor on property located at 1721 Laskin Road, District 6, Beach. GPIN: 24077844970000.

CONDITIONS

1. A business license shall not be issued to the applicant without the approval of the Health Department for consistency with the provisions of Chapter 23 of the City Code.

1. Any on-site signage for the office complex and the tattoo parlor shall meet the requirements of the Zoning Ordinance. The use of L.E.D. (or similar electronic display) shall be prohibited from any sign that specifically advertises the tattoo parlor.

2. The actual tattooing operation on a customer shall not be visible from any public right-of-way adjacent to the establishment.

3. The hours of operation shall be within the hours of 10:00 a.m. to 10:00 p.m., seven days a week.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 11.

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By a vote of 10-0, the Commission approved item 11 by consent.

Eddie Bourdon appeared before the Commission on behalf of the applicant.
CONSENT

An application of Ivy League Academy for a Conditional Use Permit (Private School) on property located at 4413 Wishart Road, District 4, Bayside. GPIN: 14786663810000.

CONDITIONS

1. The proposed use of a private school shall operate only between the hours of 7:30 am and 5:30 pm, Monday through Friday.

2. A maximum of 150 students shall be permitted to enroll each year.

A motion was made by Commissioner Thornton and seconded by Commissioner Rucinski to approve item 12.

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   HODGSON  AYE
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   OLIVER  AYE
   RIPLEY  AYE
   RUSSO  AYE
   RUCINSKI  AYE
   THORNTON  AYE
   WALL  AYE
   WEINER  AYE

By a vote of 10-0, the Commission approved item 12 by consent.

The applicant Tony Dimino appeared before the Commission.
Item #13
Princess Anne Meadows, L.L.C.
Conditional Change of Zoning
2800-2900 Block of Princess Anne Road
District 7
Princess Anne
September 9, 2015

REGULAR

An application of Princess Anne Meadows, L.L.C. for a Change of Zoning (AG-1 and AG-2 Agricultural Districts to Conditional R-10 Residential District) on property located at 2800-2900 Block of Princess Anne Road, District 7, Princess Anne. GPIN: 1494470310; 1494461695; 1494471877; 1494464666; 1494475502; 1494475847; 1494479615; 1494481279; 1494482492; 1494485388; and a portion of 1485841210.

A motion was made by Commissioner Inman and seconded by Commissioner Rucinski to defer item 13.

AYE 10 NAY 0 ABS 0 ABSENT 1

BROCKWELL ABSENT
HODGSON AYE
INMAN AYE
KWASNY AYE
OLIVER AYE
RIPLEY AYE
RUSSO AYE
RUCINSKI AYE
THORNTON AYE
WALL AYE
WEINER AYE

By a vote of 10-0, the Commission deferred item 13.

Anne Crenshaw appeared before the Commission on behalf of the applicant.
FORMAL SESSION
PUBLIC HEARING
ITEM D-1
APPLICATION OF THE CITY OF VIRGINIA BEACH DEPARTMENT
OF HOUSING AND NEIGHBORHOOD PRESERVATION

VERBATIM

PLANNING COMMISSION
Chairman Jeff Hodgson    Beach - District 6
Vice-Chairman Robert Bob Thornton  Lynnhaven - District 5
Secretary Philip L. Russo, Jr.     At-Large
E. Ross Brockwell    Bayside - District 4
Michael A. Inman       At-Large
Dr. Karen B. Kwasny    Princess Anne - District 7
Dee Oliver           At-Large
Ronald C. Ripley       At-Large
Jan Rucinski          Centerville - District 1
Jack Wall             Rose Hall - District 3
David Weiner          Kempsville - District 2

SARAH DEAL JENKINS, MMC
DEPUTY CITY CLERK, II
SECRETARY RUSSO: Mr. Chairman, our next application is D-1, an Application of the City of Virginia Beach for a Conditional Change of Zoning from I-1 Industrial to B-4 Mixed Use District, and an Application of the City of Virginia Beach for Conditional Use Permits for Group Home and Single-Family Occupancy Facility on property located at 104 Witchduck Road, northeast corner of Witchduck Road and Cleveland Street, District 4, Bayside.

KAREN PROCHILO: Good afternoon, Planning Commissioners. Karen Prochilo, here, representing the City of Virginia Beach Department of Housing and Neighborhood Preservation. I'm here to speak about the project for the Housing Resource Center, which we're thrilled to have brought before you for a Conditional Use Permit and Conditional Rezoning.

If you remember, we were here last month and we deferred the application in order to hear from two members, property owners who were across Jersey Ave, on the east side of Jersey Ave, that had some concerns. They had some opposition, not necessarily for the Housing Resource Center but for conflicts they believed were maybe traffic related. I don't know if you'd like to hear from them first, because we did have an opportunity to meet them on site. We had some discussions. Planning staff, members of the Housing Department, Public Works, Traffic Engineering, the engineers for Public Works on the road project at Witchduck, along with the architect and the engineers for the Housing Resource Center met together. We have come up with some options, and we've discussed those with those members in opposition.

CHAIRMAN HODGSON: Could you maybe just really quickly say what those options are?

KAREN PROCHILO: Those options, well, of course, we could do nothing to improvements on our side of the street other than the improvements we've shown for the Housing Resource Center, and you can see them shown on that graphic, which are just improvements for the sidewalk on Jersey Avenue along with the requirements for some landscaping and lighting.

Now we went back and after meeting with them we have another
plan, you'll see it, for on the west side, which is our property side. We would change the landscaping, so we've reduced some of the landscaping, moved the sidewalk back, and we would be allowed to have some parking there, about seven parking spaces that would be located on Jersey Ave.

CHAIRMAN HODGSON: Parallel parking spaces.

KAREN PROCHILO: Correct, parallel parking spaces. We would not make any improvements on the east side of Jersey Ave because those are the property owners on the other side, and they would create impacts to those property owners. The last option would be in lieu of those parking spaces we'd provide some type of loading zone there.

CHAIRMAN HODGSON: Do you have any questions for Ms. Prochilo before we have the two speakers? Thank you.

SECRETARY RUSSO: Our first speaker is Ro Williams.

CHAIRMAN HODGSON: Good afternoon.

RO WILLIAMS: Good afternoon. Ro Williams, property owner, directly opposite on the east side in the corner there, Carpets by J. C. Law. We are in agreement.

CHAIRMAN HODGSON: It sounds like she threw out three options.

RO WILLIAMS: Well, she did. The last option or the middle option of parking seven spaces is acceptable to us, to me, as a property owner. We may, I've talked to a neighbor, Mr. Hutchins, and he'll get a chance to tell you what he thinks, but we have agreed between us that this be parking now and not a loading zone, and we'll see how it works out. We appreciate what Ms. Prochilo suggested with her planners and going back and doing what they can do for us. And I think that's the best option now for us to alleviate the parking, as well as making it work for both of us as neighbors. So, I'm in agreement with that.

CHAIRMAN HODGSON: In making it the parallel parking spaces.

RO WILLIAMS: Yes, correct. So, that's really all I have to say.

CHAIRMAN HODGSON: Any questions, Mr. Williams? Thanks for sitting here for three hours to
RO WILLIAMS: It was tough. Thank you.

SECRETARY RUSSO: Our next speaker is David Hutchins.

DAVID HUTCHINS: I'm in agreement with it. We'll just keep it short and sweet.

CHAIRMAN HODGSON: All right. Ms. Prochilo?

KAREN PROCHILO: I'd just like to make sure that everyone is aware that these are public parking spaces, as well as this is the temporary. And when I say "temporary", it's going to be there while we're doing the Housing Resource Center, but once they start to make roadway improvements for future Light Rail, we'll be looking at both sides of that street and may have to make some modifications to the right-of-way there. Any other questions?

CHAIRMAN HODGSON: We need any discussion, or would somebody like to make a motion? Any discussion?

COMMISSIONER RIPLEY: Motion to approve with Option 2.

RO WILLIAMS: I do have a question.

CHAIRMAN HODGSON: Can you, please, come back to the microphone? Please, state your name one more time?

RO WILLIAMS: Ro Williams, property owner.

CHAIRMAN HODGSON: Thank you.

RO WILLIAMS: The later development requiring improvements along our side of the street would be curb and gutter, and how far off of the building would it be and the access to our warehouse? We have two entrances there. Right now, it's just a pad, and so curb and gutter in that area in front of our whole property is going to be a restriction. We're using it for parking now. We're using it for loading access to those doors. We have a bay on this side and a big bay here, and we store inside the whole thing. There's no restriction here of access to these doors, so any curb and gutter from this point to this point is going to be a block for us.
CHAIRMAN HODGSON: I understand.

RO WILLIAMS: So, I want to be sure, and I can't speak for Mr. Hutchins here, but I want to be sure that any improvement on our side of the street is not going to block our access.

CHAIRMAN HODGSON: I don't think we can give you that answer today here.

RO WILLIAMS: I know. So, how does that play into what we're talking about on this side of the street? If this is allowed today, which is part of this whole plan, where do we stand later; that's the question to you.

CHAIRMAN HODGSON: And I don't have an answer for you on that. I don't think we can answer that question.

BARRY FRANKENFIELD: We're not going to get into that. From a development standpoint, it's a future road improvement in that we have no plans. We have no funding for it at the time. There's typical access improvements that are allowed, I'll put my developer hat on, to the property owners. Whether you get what you have there now, we have no idea. I'd have to say, my personal opinion when I have my SGA hat on is that future development in this area that we would encourage would be curb and gutter, would be sidewalks, would be probably encourage a different type of development or different type of use over time, but that's a long way away. So, we can't really tell you what that road improvement is going to be other than we know that the right-of-way is there now. Drainage will come into it. Utilities will come into it. All kinds of things will affect the ultimate build out of that road.

RO WILLIAMS: I understand sidewalks and curb and gutters and so forth, but where you have a pre-existing building with a hundred percent access to do the whole front of the building is probably fifty percent doors. There are two giant 20-footers. One is 20 almost and the other one is slightly less, but you have to be able to get a big truck in there. And if you restrict the curb coming in to it, the access apron, you have an issue that you didn't have before. Right now, a big truck comes down and he'll back in and he cuts the corner to make it work and gets entirely into that warehouse. So, is there a precedent where you have a B-1 scenario with access to the whole front of the building for trucks where you come along after the fact and you have a
curb and gutter; what happens to that particular business with that access?

BARRY FRANKENFIELD: I'm hoping the City Attorney would jump in here, but I believe we can't answer your question. I'm sorry, we just don't know.

RO WILLIAMS: Would there be consideration at that time for what we have to deal with; that's the issue?

COMMISSIONER RIPLEY: Could he file a site plan and run it through planning as to what he wants to do?

BARRY FRANKENFIELD: I can't imagine we would commit to a future site plan commitment to access, and the access you're asking for sounds like a lot. So, I can't imagine that that would -- first of all, we're not going to improve it and commit ourselves to some future -- now the attorney is nodding with me. So, all I can tell you is that we will be glad to work with you when the time comes to try to make things compatible with your development.

RO WILLIAMS: That would be reasonable.

COMMISSIONER RUCINSKI: By that time, you might need a bigger building and move anyway.

RO WILLIAMS: That's right, or I won't be there at all.

COMMISSIONER RUCINSKI: Exactly.

RO WILLIAMS: That's true.

CHAIRMAN HODGSON: Thank you very much.

RO WILLIAMS: Thank you.

CHAIRMAN HODGSON: I think that's it. Does anybody have any more business they'd like to discuss?

COMMISSIONER OLIVER: We have to vote.

VICE-CHAIR THORNTON: We have a motion and a second, and the motion is for parking.

CHAIRMAN HODGSON: Option 2, seven parallel spots. Motion made by Mr. Ripley, seconded by --
COMMISSIONER OLIVER: I'll second it.

CHAIRMAN HODGSON: -- by Mrs. Oliver. Mr. Weeden?

ADMINISTRATOR WEEDEN: By a vote of 10 to 0, the Commission has approved the Application of the City of Virginia Beach, Option 2, which is seven parallel parking spots.

(Whereupon, the discussion of this matter was concluded.)