The Virginia Beach Planning Commission Public Hearing is carried LIVE on VBTV, which is available on Cox Cable Channel 48, Verizon Cable Channel 45 and on VBgov.com’s Media Center webpage at http://www.vbgov.com/media/pages/videos.aspx. The meeting is recablecast on Cox Channel 48 and Verizon Channel 45 the following morning at 9 a.m. and on Cox Channel 47 and Verizon Cable Channel 47 at 7 p.m. on the two consecutive Fridays following the live meeting. The meeting will also be available on the Media Center webpage for two months beginning the Friday after the live hearing.
Planning Commission Hearing Procedures

The Virginia Beach Planning Commission Public Hearing is held at 12:00 Noon in the Council Chamber of the City Hall Building, Municipal Center. A staff briefing is held at 9:00 a.m. in the City Manager’s Conference Room, City Hall Building.

Those members of the public interested in attending the 12:00 Noon Public Hearing should be advised that, for reasons the Planning Commission deems appropriate, certain items on the agenda may be heard out of order and that it should not be assumed that the order listed in this document will be exactly followed during the public hearing.

PLEASE TURN OFF YOUR CELL PHONE WHILE IN THIS CHAMBER.

PLANNING COMMISSION ACTION IS NOT A FINAL DETERMINATION REGARDING THE APPLICATION, BUT ONLY A RECOMMENDATION TO THE CITY COUNCIL OF THE VIEWPOINT OF THE PLANNING COMMISSION. FINAL DETERMINATION OF THE APPLICATION WILL BE MADE BY CITY COUNCIL AT A LATER DATE AFTER PUBLIC NOTICE IN THE VIRGINIAN PILOT/BEACON.

IF YOU ARE ATTENDING THE HEARING AND DESIRE TO SPEAK ON AN ITEM, FILL OUT A ‘SPEAKER CARD’ AT THE DESK OUTSIDE THE COUNCIL CHAMBER PRIOR TO THE MEETING.

THE FOLLOWING DESCRIBES THE ORDER OF BUSINESS FOR THE PUBLIC HEARING

1. WITHDRAWALS AND DEFERRALS: The first order of business is the consideration of withdrawals or requests to defer an item. The Commission will ask those in attendance at the hearing if there are any requests to withdraw or defer an item that is on the agenda. PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.

   a. An applicant may withdraw an application without the Commission’s approval at any time prior to the commencement of the public hearing for that item. After the commencement of the hearing, however, the applicant must request that the Planning Commission allow the item to be withdrawn.

   b. In the case of DEFERRALS, the Commission’s policy is to defer the item indefinitely with the understanding that the item will be placed back on the Commission’s agenda at the earliest possible date. Although the Commission allows an item to be deferred upon request of the applicant, the Commission will ask those in attendance if there are any objections to the request for deferral. If you wish to oppose a deferral request, let the Commission know when they ask if there is anyone in attendance who is opposed to the deferral. PLEASE confine your remarks to the deferral request and do not address the issues of the application – in other words, please let the Commission know why deferring the application is unacceptable rather than discussing what your specific issue is with the application.

2. CONSENT AGENDA: The second order of business is consideration of the “consent agenda.” The consent agenda contains those items

   a. that the Planning Commission believes are unopposed and
   b. which have a favorable Staff recommendation.

* Deferral
** Withdrawal
If an item is placed on the Consent Agenda, that item will be heard with other items on the agenda that appear to be unopposed and have a favorable staff recommendation. The Commission will vote on all of the items at one time. Once the Commission has approved the item as part of the Consent Agenda, it is deemed approved and will not be discussed any further. It is important, therefore, if you have an objection to an item being placed on the Consent Agenda to note your objection as the Commission goes through the items being considered for the Consent Agenda. Also note that some consent agenda items may be subject to certain conditions, as in those items that are Conditional Use Permits.

Process for the Consent Agenda:

- The Commission will announce the item number and item title being considered for inclusion on the Consent Agenda.
- The Commission will ask if there is anyone in the audience representing the item, and if so, ask them to go up to the podium and state their name for the record.
- If there are conditions attached to the approval of the item, the Commission will ask the representative of the item if they are aware of the conditions and if they agree to the conditions.
- The Commission will then ask if there is anyone in the audience in opposition to the item. If you are opposed to the item, stand or raise your hand to let the Commission know.
- If the item is opposed, it will be removed from the consent agenda and heard in its normal place on the agenda.
- After the Commission has gone through all of the items that it believes should be on the Consent Agenda, it will vote at one time for all of the items, announcing the number of each item being voted on. Pay attention to the list of items being voted on.

3. REGULAR AGENDA: The Commission will then proceed with the remaining items on the agenda, according to the following process:

a. The applicant or applicant’s representative will have 10 minutes to present its case.
b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
e. The applicant or applicant’s representative will then have 3 minutes for rebuttal of any comments from the opposition.
f. There is then discussion among the Commission members. No further public comment will be heard at that point. The Commission may, however, allow additional comments from the opposition if a member of the Commission sponsors the opposition. Normally, you will be sponsored only if it appears that new information is available and the time will be limited to 3 minutes.
g. The Commission does not allow slide or computer generated projections other than those prepared by the Planning Department Staff.
h. The Commission asks that speakers not be repetitive or redundant in their comments. Do not repeat something that someone else has already stated. Petitions may be presented and are encouraged. If you are part of a group, the Commission requests, in the interest of time, that you use a spokesperson, and the spokesperson is encouraged to have his or her supporters stand to indicate their support.

The staff reviews of some or all of the items on this agenda suggest that certain conditions be attached to approval by City Council. However, it should not be assumed that those conditions constitute all the conditions that will ultimately be attached to the project. Staff agencies may impose further conditions and requirements during administration of applicable city ordinances.

* Deferral
** Withdrawal
9:00 A.M. – STAFF BRIEFINGS & DISCUSSION

A. COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

B. STAFF BRIEFINGS:
   No Staff briefings are scheduled

C. REVIEW OF PUBLIC HEARING AGENDA ITEMS

12:00 P.M. – PUBLIC HEARING

1. MGP RETAIL CONSULTING, LLC [Applicant]  
   MARK IV INVESTMENTS, INC. [Owner]

   **Conditional Change of Zoning** (AG-2 to Conditional B-2 Community Business), 1136, 1203, 1205 Edison Road (GPINs 2415422767; 2415423693; 2415422630; 2415423445; 2415425501; 2415422384).

   COUNCIL DISTRICT – PRINCESS ANNE. 
   STAFF PLANNER - Kevin Kemp

2. ROBERT McNICHOLS [Applicant]  
   REVEREND FRANCIS X. LORENZO, BISHOP OF RICHMOND. [Owner]

   **Modification of Conditions** of a Conditional Use Permit (Housing for Seniors) approved by City Council on February 22, 1994. 5345 Marian Lane (GPIN 1467554743).

   COUNCIL DISTRICT – KEMPSVILLE.
   STAFF PLANNER - Kevin Kemp

*   Deferral
** Withdrawal
3. PORPOISE, LLC [Applicant]
LESLIE G. SHAW, JR. [Owner]

Conditional Use Permit (Outdoor Recreational Facility). 1905 Cypress Avenue (GPINs 2417970299 & 2417971213).
COUNCIL DISTRICT – BEACH.
STAFF PLANNER - Carolyn A. K. Smith

4. ONPOINT SECURITY ACADEMY, LLC [Applicant]
MADIX ASSOCIATES, LLC [Owner]

Conditional Use Permit (Vocational School). 4604 Westgrove Court (GPIN 1478450786).
COUNCIL DISTRICT – BAYSIDE.
STAFF PLANNER - Carolyn A. K. Smith

5. JIM GOLDEN & MELISSA TEXTOR [Applicants]
MARINA SHORES REPAIR CORP [Owner]

Conditional Use Permit (Truck & Trailer Rentals, Bulk Storage & Open Air Market). 2865 Lynnhaven Drive (GPIN 1499389741).
COUNCIL DISTRICT – LYNNHAVEN.
STAFF PLANNER - Kristine Gay

* Deferral
** Withdrawal
6.

SHELA MARIE BOLLENBACHER
[Applicant & OWNER]

Conditional Use Permit (Home Occupation- Home Daycare). 2492 Seven Kings Road (GPIN 2405301161).
COUNCIL DISTRICT – ROSE HALL.
STAFF PLANNER - Kristine Gay

7.

BJ’S WHOLESALE CLUB
[Applicant]
BIRCHWOOD MALL ASSOCIATES, ETC
[Owner]

Modification of Conditions of a Conditional Use Permit (Automobile Service Station) approved by City Council on June 26, 2001. 3712 Virginia Beach Boulevard (GPIN 1487448869).
COUNCIL DISTRICT – LYNNHAVEN
STAFF PLANNER - Karen Lasley
8.

PRICE’S HOLDINGS, LLC
[Applicant & OWNER]

Conditional Use Permit (Motor Vehicle Repair).

Change in Non-Conformity (Motor Vehicle Sales)

5059 Cleveland Street (GPIN 1467843424).
COUNCIL DISTRICT – BAYSIDE.
STAFF PLANNER - Karen Lasley

9.

MCQ BUILDERS, LLC -1
[Applicant]
B.H. VINELAND, LLC [Owner]

Conditional Change of Zoning, (AG-2 Agricultural to Conditional R-5D Residential Duplex). 1046 & 1050 Old Dam Neck Road and 1037 Dam Neck Road (GPINs 2415652006; 2415640845; 2415652205). Comprehensive Plan – Suburban Area. Proposal is for 12 single-family dwellings (density of 4.7 units per acre).
COUNCIL DISTRICT – PRINCESS ANNE.
STAFF PLANNER – Stephen J. White
10.

ALDI (N.C.) L.L.C [Applicant]
VIRGINIA BEACH BEACON BAPTIST CHURCH [Owner]

(A) **Conditional Change of Zoning** (R-20 Residential to Conditional B-2 Community Business)
(B) **Modification of Conditions** of a Conditional Use Permit for a church approved by City Council on November 9, 1987.

2301 Newstead Drive (portion of GPIN 2414167704).

COUNCIL DISTRICT – PRINCESS ANNE.
STAFF PLANNER – Stephen J. White

11.

JAMES O. HERTZ, JR. [Applicant & OWNER]

**Subdivision Variance**, (Section 4.4(b) & (d)) to the east side of Muddy Creek Road, north of the intersection with Drum Point Road. (GPINs 2420064884 & 2420263519).

COUNCIL DISTRICT – PRINCESS ANNE.
STAFF PLANNER - Kevin Kemp

* Deferral
** Withdrawal
12.

SECOND SHOT, LLC [Applicant]
ALBERT VINCIGUERRA [Owner]

Conditional Use Permit (Tattoo Parlor). 5759 Princess Anne Road. (GPIN 1457948060).
COUNCIL DISTRICT – KEMPSVILLE.
STAFF PLANNER - Kevin Kemp

13.

CHRISTINE WERNE [Applicant]
PEMBROKE OFFICE PARK, LP [Owner]

COUNCIL DISTRICT – BAYSIDE.
STAFF PLANNER - Carolyn A. K. Smith

14.

JUMP TRAMPOLINE PARK
[Applicant]
GENERAL GROWTH PROPERTIES
[Owner]

Conditional Use Permit (Indoor Recreational Facility). 701 Lynnhaven Parkway (GPIN 1496461559).
COUNCIL DISTRICT – ROSE HALL.
STAFF PLANNER - Carolyn A. K. Smith

* Deferral
** Withdrawal
15.

LUXURY AUTO RENTALS & SALES, LLC [Applicant]
MALIBU FLORIDA HOLDING, INC. [Owner]

**Conditional Use Permit** (Motor Vehicle Sales & Repair). 3783 Bonney Road (GPIN 1487337843).
COUNCIL DISTRICT – LYNNHAVEN.
STAFF PLANNER - Kristine Gay

16.

YNOT, LLC [APPLICANT]
CITY OF VIRGINIA BEACH [OWNER]

**Conditional Change of Zoning** (AG-2 Agricultural to Conditional B-2 Community Business). Property is located approximately 190 feet northwest of the corner of Princess Anne Road and Winterberry Lane (portion of G PIN 1494096316).
COUNCIL DISTRICT – PRINCESS ANNE.
STAFF PLANNER – Stephen J. White

17.

HOLLY ROAD, LLC [APPLICANT]

**Street Closure**, Unimproved portion of Holly Road, south of 48th Street (adjacent G PIN 2418870831).
COUNCIL DISTRICT – BEACH.
STAFF PLANNER - Stephen White

*  Deferral
** Withdrawal
18.

DR. JACK SIEGEL & LISA A. BERTINI [APPLICANT]

Street Closure, Unimproved 50’x 125’ portion of Holly Road, south of 48th Street (adjacent GPIN 2418871833).
COUNCIL DISTRICT – BEACH.
STAFF PLANNER - Stephen White

19.

BAYSIDE CONCRETE, INC. [Applicant]
BRUCE H. GOULD [Owner]

Conditional Use Permit (Bulk Storage Yard). 408 Davis Street (GPIN 1467485670).
COUNCIL DISTRICT – KEMPSVILLE.
STAFF PLANNER - Kevin Kemp

20.

LEONARD ALUMINUM BUILDINGS, INC. [APPLICANT]
FAYE W. FORBES, ET AL [OWNER]

Conditional Use Permit (Truck & Trailer Rentals). 980 S. Military Highway (GPIN 1456132135).
COUNCIL DISTRICT – CENTERVILLE.
STAFF PLANNER - Stephen White

* Deferral
** Withdrawal
21. M & K INVESTMENTS I, LLC [Applicant/Owner]
Conditional Change of Zoning (B-1 Neighborhood Business District and R-7.5 Residential District to B-2 Community Business). 1081 and 1091 Norfolk Avenue (GPINs 2417543201 and 2417540166). COUNCIL DISTRICT – BEACH.
STAFF PLANNER - Stephen White

22. CITY OF VIRGINIA BEACH
A. An Ordinance to Amend and Reordain Sections 102 And 200, and add a new Section 506, of the City Zoning Ordinance, establishing the North End Overlay Ordinance and setting forth Special Regulations for the District.
B. An Ordinance to Amend the Official Zoning Map by the Addition of the North End Overlay District.

23. CITY OF VIRGINIA BEACH – An Ordinance to Amend Section 801 of the City Zoning Ordinance Pertaining to the Requirements for Farm Stands.

24. CITY OF VIRGINIA BEACH – An Ordinance to Amend Section 242.1 of the City Zoning Ordinance Pertaining to Tattoo Parlors and Body Piercing Establishments.

PREVIOUSLY DEFERRED

* Deferral
** Withdrawal
D1.

**JOHN & RANDI VOGEL / HUNT CLUB FARM [Applicant]**
A-1A, L.L.C / A-2, L.L.C [Owner]

**Modification of Conditions** of a Conditional Use Permit (Outdoor Recreational Facility) approved by City Council on December 2, 2014. 2356, 2388, 2400, 2412, 2416, & 2427 London Bridge Road (GPINs 2405914155; 2405916438; 2405812185; 2405900607).

**COUNCIL DISTRICT – PRINCESS ANNE.**
**STAFF PLANNER – Kevin Kemp**

D2.

**PRINCESS ANNE MEADOWS, LLC [Applicant]**
FIVE MILE STRETCH ASSOCIATES, LLC; JAMES T. CROMWELL, SPECIAL COMMISSIONER FOR THE ESTATES OF ANNIE B. SETZER, BROWN K. SETZER, AND ROBERT C. SETZER; LOLITA C. ARLAR, AND E.S.G. ENTERPRISES, INC. [Owner]

**Conditional Change of Zoning** (AG-1 and AG-2 to Conditional R-10 Residential).
2800-2900 Block of Princess Anne Road (northeast side of Princess Anne Road, opposite the Virginia Beach National Golf Course (GPINs 1494470310; 1494461695; 1494471877; 1494464666; 1494475502; 1494475847; 1494479615; 1494481279; 1494482492; 1494485388; and a portion of 1485841210). Comprehensive Plan: Suburban Area [Princess Anne Corridor]. Proposal is for 85 single-family dwellings at a density of 2 units per acre.

**COUNCIL DISTRICT – PRINCESS ANNE.**
**STAFF PLANNER – Stephen J. White**

* Deferral
** Withdrawal