

**Requests**

**Conditional Use Permit** (Car Wash Facility)  
**Modification of Conditions** (Conditional Use Permits approved by City Council on 1986, 1995, 1998, and modified in 2000 for Motor Vehicle Sales, Rentals, & Repair)

**Staff Recommendation**

Approval

**Staff Planner**

Robert Davis

**Location**

3033, 3025, 3001, & 2981 Virginia Beach Boulevard

**GPINs**

1497158417, 1497250372, 1497252343, 1497253405

**Site Size**

7.17 acres

**AICUZ**

65-70; Sub Area 3 & 70-75 dB DNL

**Watershed**

Chesapeake Bay

**Existing Land Use and Zoning District**

Motor vehicle sales & repair / B-2 Community Business

**Surrounding Land Uses and Zoning Districts**

**North**

Virginia Beach Boulevard  
 Mixed retail / B-2 Community Business

**South**

Single-family dwellings / R-10 Residential

**East**

Mixed retail / B-2 Community Business

**West**

Office / B-2 Community Business



## Background and Summary of Proposal

- The subject 7.17-acre site currently exists as three parcels that is developed with two new car dealerships and a used car lot.
- A Conditional Use Permit for a Motor Vehicle Sales and Repair was approved in 1986 on one of the parcels and subsequent approvals for Motor Vehicles Sales and Repair for the remaining parcels occurred in 1995, 1998, and 2000.
- The applicant is now requesting a Modification of the original Conditional Use Permit in order to remodel and expand the existing Hyundai sales and service building and a Conditional Use Permit to add a car wash at the rear of the existing building.
- The Conditional Use Permits approved in 1995, 1998, and 2000 will remain in effect on the remaining parcels. No changes to these conditions are being requested with this application.
- The submitted site plan depicts an expansion to the existing building that will result in an 8,438 square-foot showroom, a 17,308 square foot- service area, and a car wash facility.
- The submitted elevations show a two-story building. The first floor of the showroom/sales area consists of insulated clear glass that extends the length of the façade from floor level to the base of the second floor. The exterior of the second-floor and all other areas of the showroom/sales building consist of a system of gray metallic chamfered metal panels, accented through the use of an off-white between the panels. The same off-white color is used at each of the customer entrances as well as the service bay accesses.
- The site layout also depicts the required street frontage, display area, and foundation landscaping required by the Virginia Beach Landscaping Guide.
- The 35 parking spaces depicted on the proposed site layout are sufficient to address the minimum parking requirements for the site. Furthermore, in order to provide parking in a sensible manner, the applicant has an existing shared parking agreement with the adjacent property to the east for 35 employee spaces.

		<h3>Zoning History</h3> <table border="1"> <thead> <tr> <th>#</th> <th>Request</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>CUP (Church) Approved 05/26/2009</td> </tr> <tr> <td>2</td> <td>CUP (Motor Vehicles Sales and Repair) Approved 02/22/2000</td> </tr> <tr> <td>3</td> <td>CUP (Automobile Sales, Repair, and Service, Sale of Parts and Storage of Vehicles) Approved 02/10/1998</td> </tr> <tr> <td>4</td> <td>CUP (Automobile Sales, Repair, and Service) Approved 02/14/1995</td> </tr> <tr> <td>5</td> <td>CUP (Motor Vehicle Sales and Service) Approved 08/18/1986</td> </tr> </tbody> </table>	#	Request	1	CUP (Church) Approved 05/26/2009	2	CUP (Motor Vehicles Sales and Repair) Approved 02/22/2000	3	CUP (Automobile Sales, Repair, and Service, Sale of Parts and Storage of Vehicles) Approved 02/10/1998	4	CUP (Automobile Sales, Repair, and Service) Approved 02/14/1995	5	CUP (Motor Vehicle Sales and Service) Approved 08/18/1986
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<b>Application Types</b>														
CUP – Conditional Use Permit REZ – Rezoning CRZ – Conditional Rezoning	MOD – Modification of Conditions or Proffers NON – Nonconforming Use STC – Street Closure	FVR – Floodplain Variance ALT – Alternative Compliance SVR – Subdivision Variance												

## Comprehensive Plan Recommendations

The Comprehensive Plan designates this site as located in the Lynnhaven Strategic Growth Area. The long-term vision for the Lynnhaven SGA calls for a series of mixed-use and flexible developments. Design principles include enabling flexible development sites and building types to respond to ever-changing market needs and development programs that are compatible with AICUZ restrictions. The Comprehensive Plan’s Special Area Development Guidelines for Urban Areas provide recommendations for site design. Specific to this proposal is the opportunity to incorporate quality landscaping and enhance exterior walls facing streets to have substantial material change and transparency.

## Natural and Cultural Resources Impacts

The site is located in the Chesapeake Bay watershed, adjacent to Little Neck Creek. The site is impacted by the Resource Protection Area, the most stringently regulation portion of the Chesapeake Bay Preservation Area. Portions of the site are located in the AE floodplain and the floodway; however, no land disturbance is proposed in these environmentally sensitive areas. There does not appear to be any significant cultural resources associated with the site.

## Public Utility Impacts

### Water & Sewer

This site is currently connected to both City water and sanitary sewer service.

Water and sanitary sewer service must be verified and improved if necessary so that the proposed development will have adequate water pressure, fire protection and sanitary sewer service.

## Evaluation and Recommendation

The proposed requests for a Modification of Conditions and a Conditional Use Permit for a Car Wash are, in Staff's opinion, acceptable given the predominance of auto-centric uses in the immediate vicinity. While the Lynnhaven Strategic Growth Area Master Plan calls for long-term redevelopment of the site with mixed-use, non-residential projects, the proposal is compatible with the existing uses along this section of Virginia Beach Boulevard. The building is designed with finishes that complement the surrounding area. As such, the proposed request is acceptable until the market creates a transition of this area to the long-term vision set forth in the Lynnhaven Strategic Growth Area Plan.

As noted previously, the subject site has Conditional Use Permits for Motor Vehicle Sales, Rentals and Repair that were approved with the following conditions, which will remain in effect.

Applicable to the western portion of the subject site located at 3033 Virginia Beach Boulevard:

1. Category I screening is to be provided along the western property line adjacent to the Historical and Cultural District.

Applicable to the following properties located in the eastern portion of the subject site located at 3025, 3001, and 2981 Virginia Beach Boulevard:

1. The development of the site shall substantially conform with the site plan prepared by MSA, P.C., dated 01/04/2000 and annotated "MSA PROJ. #99163". The plan shall provide a uniform drive aisle width in front of the showroom, except where adjustments are necessary to accommodate an adequate turning radius for vehicles entering and exiting the site. All area lying between the drive aisle and the property line shall be incorporated into the street frontage landscape strip.
2. Five of the required parking spaces shall be located in the parking area immediately to the east of the new car showroom, and four along the western wall of the showroom, to provide readily accessible customer parking. Nine spaces may be retained in the easternmost lot. All required parking spaces shall be clearly marked by sign or pavement markings as customer/employee parking, and shall not be used for the display of vehicles for sale.
3. Architectural design, materials, and colors shall conform with the "Preliminary Design for Renovations to Checkered Flag Volkswagen," prepared by E. T. Gresham Construction, dated September 30, 1999 and revised November 24, 1999. No more than one additional bay (garage) door may be installed, which shall be located at the eastern or southern side of the structure.
4. No further administrative variances to parking lot, street frontage, and/or display area landscaping shall be granted.
5. All auto repair must take place inside the building. No outside storage of equipment, parts, or materials shall be permitted.

The condition approved in 1986 for the western portion of the subject site has been incorporated into the updated recommended conditions for approval below. For the reasons stated above, Staff recommends approval of this application, subject to the conditions below.

## Recommended Conditions

The conditions of the 1995, 1998 and 2000 Conditional Use Permits for Motor Vehicle Sales and Repair remain as previously approved. The conditions of the August 18, 1986 approval shall be deleted and replaced with the conditions below.

1. The development and landscape of the site substantially conform with the submitted layout entitled "Conceptual Site Layout & Landscape Plan of Checkered Flag Jaguar-Land Rover 3033 Virginia Beach Blvd. Virginia Beach, VA" prepared by MSA, P.C., dated 04/07/17 and annotated "MSA PROJ. #14088C" as depicted on page 8 of this report as exhibited to the Virginia Beach City Council and are on file with the Department of Planning and Community Development.
2. Architectural design and colors shall conform with the "Schematic Drawings for Checkered Flag Jaguar/Land Rover 3033 Virginia Beach Boulevard, Virginia Beach, VA 23452" prepared by Covington Hendrix Anderson, dated 05/18/17. Said elevations have been exhibited to the Virginia Beach City Council and are on file with the Department of Planning and Community Development.
3. The spaces for display of motor vehicles shall be clearly marked as depicted on the submitted site layout. Customer parking within the areas shown on the Site Layout Exhibit referenced in Condition 1 above shall be clearly marked by sign or pavement markings as such and shall not be used for the display of vehicles for sale.
4. Vehicles shall not be displayed on platforms or elevated above the parking lot.
5. All motor vehicle repairs and painting shall take place inside the building.
6. No outside storage of vehicles in a state of obvious disrepair, equipment, parts, or materials shall be permitted.
7. No tires, merchandise, or parts for sale shall be displayed outside.
8. Category I screening shall be provided along the western property line adjacent to the Historical and Cultural District.
9. No outside paging or amplified music system shall be permitted.
10. The building signage shall not be a "box sign," but rather either externally lit or constructed of raceway-mounted channel letters with L.E.D. illumination. There shall be no neon or electronic display signs or accents installed on any wall area of the exterior of the building or on the doors. No window signage or portable or nonstructural signs shall be permitted. Any on-site signage for the automobile sales operation shall meet the requirements of the City Zoning Ordinance.
11. There shall be no decorative pennants, strings of light bulbs, spinners, feather flags, ribbons, streamers, air dancers, inflatables or other similar advertising items located on the site.
12. Use of the car wash by the general public shall not be permitted.

*Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any uses allowed by this Use Permit are valid.*

*The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.*

# Proposed Site Layout

## CONCEPTUAL SITE LAYOUT & LANDSCAPE PLAN OF CHECKERED FLAG JAGUAR-LAND ROVER 3033 VIRGINIA BEACH BLVD. VIRGINIA BEACH, VA

**Site Data**  
 Site Area: 4.6355 AC  
 CIPIN: 1497-25-0372  
 Building Zoning: B-2  
 Existing Building Size: 18,462 SF  
 Proposed Building Size: 25,746 SF

**Parking Summary**  
 \* Required Parking - Auto sales: 10 Spaces (8,438 SF)  
 10 Spaces  
 \* Required Parking - Service: 10 Spaces  
 10 Spaces  
 (1 Space/Employee Max Shift): 25 Spaces

**NOTE:** Owner has shared parking agreement for 35 employee spaces with adjacent property #5061 Brickhouse Court.

**Layout Key**

- 1 BUILDING FOUNDATION LANDSCAPE
- 2 CUSTOMER PARKING WITH ASSOCIATED LANDSCAPE AREA
- 3 EXISTING PINE TREE
- 4 EXISTING SIGN TO BE RELIEVED WITH 107 SF LANDSCAPE AREA
- 5 PARCEL LINE TO BE VACATED
- 6 PROPOSED MEDIUM/LARGE CANOPY TREE (TYP. OF 5)
- 7 RECONFIGURED DISPLAY AREA (4,558 SF) WITH ASSOCIATED INTERIOR LANDSCAPE AREA (12,118 SF) TREES PROVIDED DUE TO PRIMARY USE OF OVERSEAS AND UNDERGROUND UTILITIES - ADDITIONAL SHRUBS, PERENNIALS, AND GRASS/COVER TO BE PROVIDED.
- 8 DENOTES DISPLAY AREA



**MSA, P.C.**  
 Environmental Sciences • Planning • Surveying  
 Civil & Environmental Engineering • Landscape Architecture  
 5033 Rouse Drive, Virginia Beach, VA 23462  
 757-498-9244 (O) 757-491-0644 (FAX)  
 www.msonline.com  
 MSA PROJ. # 140286C



DATE: 04/07/17  
 EXHIBIT FOR MODIFICATIONS OF CONDITIONS  
 THIS DRAWING IS CONSIDERED TO BE AN APPROXIMATE REPRESENTATION OF THE PROPOSED PROJECT AND SHOULD NOT BE RELIED UPON AS THE SOLE BASIS FOR ANY FINANCIAL OR LEGALLY BINDING TRANSACTION.

# Proposed Elevations



3D VIEW FROM NORTHEAST CORNER



3D VIEW FROM NORTHWEST CORNER

## EXTERNAL FINISHES

ZONE ELEMENT	MANDATED (M) OR OPTIONAL (O)	SOURCE CATEGORY	DESCRIPTION	PHOTOGRAPH
<b>Façade &amp; Finishes</b> <span style="color: red; font-weight: bold;">M</span>				
FASCIA AND CHAMFER CLADDING	M	A	Main Façade Colour: Prisma JLR Sunshine Grey Metallic Chamfer Colour: Prisma JLR Champagne Metallic Colour above customer entrances: Prisma JLR Champagne Metallic	
CLEAR GLASS DOORS	M	D	Clear door and side lights in 12 mm toughened glass with metal security locking bar at the base. Lock colour: Stainless Steel.	
SHOWROOM FRAMELESS GLAZING	M	C	Frameless glazing Single and double glazed systems. Full specification available to suit building requirements. Refer to Appendix 9	
WORKSHOP AND BACK OF HOUSE CLADDING	M	C	Horizontal trapezoidal cladding. R32/1000 - RAL 9006. Tata Trisomet 333 or similar	

# Site Photos





**APPLICANT'S NAME** Evergreen Virginia, LLC

**DISCLOSURE STATEMENT FORM**

The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a board, commission, or other body appointed by the City Council. Such applications and matters include, but are not limited to, the following:

Acquisition of Property by City	Disposition of City Property	<input checked="" type="checkbox"/> Modification of Conditions or Proffers
Alternative Compliance, Special Exception for	Economic Development Investment Program (EDIP)	Nonconforming Use Changes
Board of Zoning Appeals	Encroachment Request	Rezoning
Certificate of Appropriateness (Historic Review Board)	Floodplain Variance	Street Closure
Chesapeake Bay Preservation Area Board	Franchise Agreement	Subdivision Variance
<input checked="" type="checkbox"/> Conditional Use Permit	Lease of City Property	Wetlands Board
	License Agreement	

◆—————◆  
**The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law.**  
 ◆—————◆

**SECTION 1 / APPLICANT DISCLOSURE**

FOR CITY USE ONLY / All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the application(s).		
<input type="checkbox"/>	APPLICANT NOTIFIED OF HEARING	DATE: _____
<input type="checkbox"/>	NO CHANGES AS OF	DATE: _____
<input type="checkbox"/>	REVISIONS SUBMITTED	DATE: _____



- Check here if the **APPLICANT IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **APPLICANT IS** a corporation, partnership, firm, business, or other unincorporated organization.

(A) List the Applicant's name: Evergreen Virginia, LLC

If an LLC, list all member's names:

Stephen Snyder  
Edward B. Snyder

If a CORPORATION, list the the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

(B) List the businesses that have a parent-subsiary <sup>1</sup> or affiliated business entity <sup>2</sup> relationship with the Applicant: *(Attach list if necessary)*

See next page for information pertaining to footnotes <sup>1</sup> and <sup>2</sup>



## SECTION 2 / PROPERTY OWNER DISCLOSURE

*Complete Section 2 only if property owner is different from Applicant.*

- Check here if the **PROPERTY OWNER IS NOT** a corporation, partnership, firm, business, or other unincorporated organization.
- Check here if the **PROPERTY OWNER IS** a corporation, partnership, firm, business, or other unincorporated organization, **AND THEN**, complete the following.

(A) List the Property Owner's name: \_\_\_\_\_

If an LLC, list the member's names:





If a Corporation, list the names of all officers, directors, members, trustees, etc. below: *(Attach list if necessary)*

- (B) List the businesses that have a parent-subsiary<sup>1</sup> or affiliated business entity<sup>2</sup> relationship with the Property Owner: *(Attach list if necessary)*

<sup>1</sup> "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

<sup>2</sup> "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

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### SECTION 3. SERVICES DISCLOSURE

Are any of the following services being provided in connection with the subject of the application or any business operating or to be operated on the Property. If the answer to any item is YES, please identify the firm or individual providing the service: IF THE OWNER AND APPLICANT ARE DIFFERENT, EACH MUST COMPLETE THE SECTION SEPERATELY



**APPLICANT**

YES	NO	SERVICE	PROVIDER (use additional sheets if needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Accounting and/or preparer of your tax return	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architect / Landscape Architect / Land Planner	Covington Hendrix Anderson Architects
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract Purchaser (if other than the Applicant) - identify purchaser and purchaser's service providers	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any other pending or proposed purchaser of the subject property (identify purchaser(s) and purchaser's service providers)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction Contractors	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineers / Surveyors/ Agents	MSA-P.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Financing (include current mortgage holders and lenders selected or being considered to provide financing for acquisition or construction of the property)	Towne Bank
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Services	Billy Garrington
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Real Estate Brokers / Agents/Realtors for current and anticipated future sales of the subject property	

**SECTION 4. KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

YES  NO 
 Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action?

If yes, what is the name of the official or employee and what is the nature of the interest?

# Disclosure Statement



**CERTIFICATION:**

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.

I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the Planning Commission, Council, VBDA meeting, or meeting of any public body or committee in connection with this Application.

		
APPLICANT'S SIGNATURE	PRINT NAME	DATE