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 (if you do not understand, ask a staff member sitting at the desk at the front of the chamber or the staff member at the desk outside the chamber).

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 PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.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.
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
A. COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

B. STAFF BRIEFINGS
Neighborhood Stormwater Presentation – Tonia P. Alger, P.E., Department of Public Works
Referrals from City Council – B. Kay Wilson Esquire, Deputy City Attorney

12:00 P.M. – PUBLIC HEARING

1. APPROVAL  
(COUNCIL on December 5)

Elite Therapies, Inc. [Applicant]  
Rose Hall Shoppes Associates [Owner]

Conditional Use Permit (Tattoo Parlor)

3101 Virginia Beach Boulevard, Suite 108  
(GPIN 1497153397)

COUNCIL DISTRICT – BEACH  
Staff Planner – Robert Davis

2. APPROVAL  
(COUNCIL on December 5)

Goodwill of Central and Coastal Virginia, Inc. [Applicant]  
Southern Bank and Trust Company [Owner]

Conditional Rezoning (O-2 Office to Conditional B-2 Community Business)

1124 First Colonial Road  
(GPIN 2408546615)

COUNCIL DISTRICT – LYNNHAVEN  
Staff Planner – Jimmy McNamara

* Deferral  
** Withdrawal
3. **WITHDRAWN**  
Stephen L. Rohring [Applicant]  
Stephen L. & Lynnette M. Rohring [Owner]  

**Subdivision Variance** (Section 4.4 (b) of the Subdivision Regulations)  
359 Lake Drive  
(GPIN 2427144827)  

COUNCIL DISTRICT – BEACH  
Staff Planner – Jonathan Sanders

4 & 5. **APPROVAL**  
(COUNCIL on December 5)  
Spence Crossing Properties, LC [Applicant & Owner]  

**Conditional Rezoning** (Conditional B-4 Mixed Use to Conditional PD-H2 (A-12) Apartment)  
**Modification of Proffers**  
Southwest side of Princess Anne Road  
(GPIN 1485152560)  

COUNCIL DISTRICT – CENTERVILLE  
Staff Planner – Jimmy McNamara

6. **APPROVAL**  
(COUNCIL on December 12)  
City of Virginia Beach, Dept. of Aquariums & Museums [Applicant & Owner]  

**Major Entertainment Venue Signage Permit**  
717 General Booth Boulevard & 928 S. Birdneck Road  
(GPINs 2416987653, 2416758858)  

COUNCIL DISTRICT – BEACH  
Staff Planner – Kevin Kemp

* Deferral  
** Withdrawal
7. **APPROVAL**  
** (COUNCIL on December 5)  
City of Virginia Beach [Applicant & Owner]  

**Conditional Rezoning** (I-1 Light Industrial & R-2.5 Residential to Conditional I-1 Light Industrial)  

373 & 411 S. Birdneck Road  

(GPINs 2417411312, 2417408720, 2417317606, portion of 2417203629)  

COUNCIL DISTRICT – BEACH  
Staff Planner – Jimmy McNamara

8. **APPROVAL** (COUNCIL on December 5)  
City of Virginia Beach - An Ordinance to Amend and Reorganize Appendix 1, Oceanfront Resort District Form-Based Code, of the City Zoning Ordinance pertaining to Definitions (Chapters 1 and 8); Frontage and Building Types (Chapter 2); Setbacks (Chapter 3); Height (Chapter 4); Uses (Chapter 5); Site Development (Chapter 6); Optional Forms of Development and Alternative Compliance (Chapter 7); and Signs (Chapter 8).

9. **APPROVAL** (COUNCIL on December 5)  
City of Virginia Beach - An Ordinance to Adopt and Incorporate into the Virginia Beach Comprehensive Plan 2016, the ViBe Creative District Connectivity Plan, dated October 2017; and the “Oceanfront Resort District Connector Park Design Guidelines,” dated April 2017; and to Amend the “Oceanfront Resort District Design Guidelines,” dated October 2017.

10. **APPROVAL** (COUNCIL on December 12)  
City Of Virginia Beach – An Ordinance to Adopt and Incorporate the “Interfacility Traffic Area and Vicinity Master Plan,” dated September 2017, into the Virginia Beach Comprehensive Plan 2016, and to Amend and Revise the following Sections of the Policy Document of the Virginia Beach Comprehensive Plan 2016: Planned Land Use Map (pertaining to Special Economic Growth Areas); Executive Summary; Section 1.3 (Suburban Area); Section 1.4 (Princess Anne & Transition Area); Section 1.6 (Military Installations and Support); and Section 2.4 (Economic Vitality).

11. **APPROVAL** (COUNCIL on December 12)  
City of Virginia Beach – An Ordinance to Amend Sections 111 and 501 of the City Zoning Ordinance pertaining to the Deletion of the Definition of Servants Quarters and the Addition of the Definition for Limited Use Accessory Dwelling Unit.

* Deferral  
** Withdrawal
12. **APPROVAL (COUNCIL on December 12)**  
City of Virginia Beach – An Ordinance to Amend Sections 801, 901, and 2203 of the City Zoning Ordinance Pertaining to Business and Vocational Schools in the Office, Business and the Central Business Core Districts.

13. **APPROVAL (COUNCIL on December 5)**  
City of Virginia Beach- An Ordinance to Amend Sections 111 and 203 of the City Zoning Ordinance pertaining to the Definition of Municipal Oceanfront Entertainment Venue and the Deletion of the requirement of Ten Year Shared Parking Agreements.

14 & 15. **APPROVAL (COUNCIL on December 12)**  
Bonney Road VB, LLC [Applicant & Owner]  
**Street Closure**  
**Modification of Conditions** (Motor Vehicle Sales and Automobile Repair Garage)  
3825 Bonney Road and Avenue “H” unimproved, south side of Bonney Road  
(GPIN 1487330781)  
COUNCIL DISTRICT – LYNNHAVEN  
Staff Planner – Jimmy McNamara

16. **APPROVAL (COUNCIL on December 5)**  
Reed Enterprises, Inc. [Applicant & Owner]  
**Modification of Conditions**  
West side of Holland Road  
(GPIN 1495138628)  
COUNCIL DISTRICT – PRINCESS ANNE  
Staff Planner – Robert Davis

* Deferral  
** Withdrawal
PREVIOUSLY DEFERRED

D1. APPROVAL
(COUNCIL on December 5)
McNeel Properties, LLC [Applicant]
Reed Enterprises, Inc. [Owner]

Modification of Conditions
Conditional Use Permit (Bulk Storage Yard)

3249 Dam Neck Road

(GPIN 1495146175)

COUNCIL DISTRICT – PRINCESS ANNE
Staff Planner – Robert Davis

D2. APPROVAL
(COUNCIL on December 5)
New Cingular Wireless PCS, LLC c/o Jacobs Telecommunications Inc. [Applicant]
AIMOCO Maple Bay, LLC [Owner]

Conditional Use Permit (Small Cell Wireless Facility)

1800 English Court

(GPIN 2407577184)

COUNCIL DISTRICT – BEACH
Staff Planner – Stephen J. White

* Deferral
** Withdrawal
D3. **APPROVAL**  
*(COUNCIL on December 5)*

Baker Villas, LLC & Ocean Rental Properties, LLC [Applicants]  
Baker Villas, LLC, Ocean Rental Properties, James Edward Sollner & Linda Susan Sollner [Owners]

**Conditional Rezoning** (R-7.5 Residential to Conditional A-18 Apartment)

504 Baker Road & 5501, 5505, & 5513 Connie Lane

(GPINs 1468408255, 1468407007, and portions of 1468500209, 1468409386, 1468409432, 1468407370, 1468407461)

COUNCIL DISTRICT – KEMPSVILLE  
Staff Planner – Jimmy McNamara