Planning Commission Agenda

September 12, 2018

City of Virginia Beach

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 PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.**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.**

* 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. <u>If you are opposed to the item, stand or raise your hand to let the Commission know</u>.**
- **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. <u>Pay attention to the list of items being voted on.</u>**

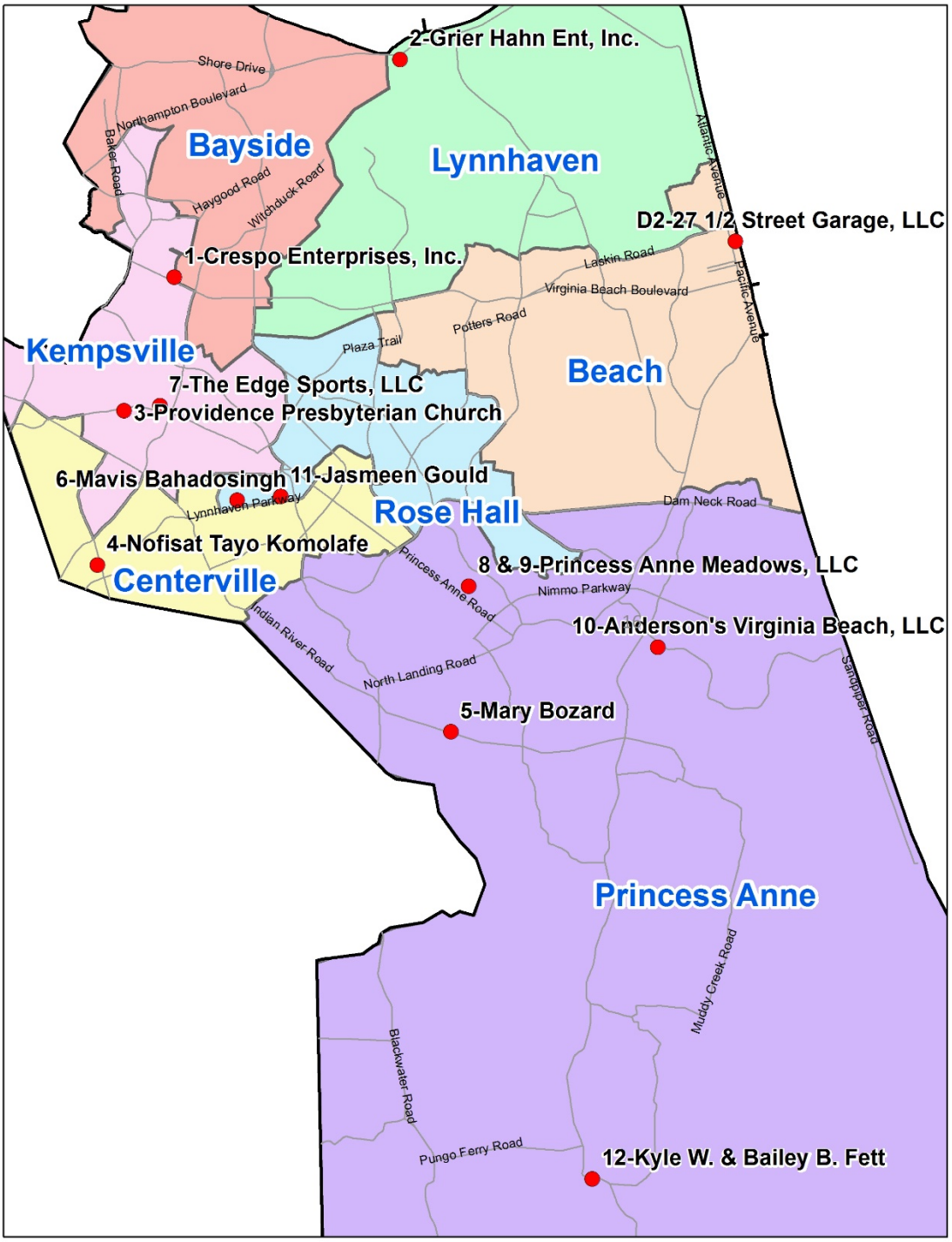
3. <u>REGULAR AGENDA:</u> The Commission will then proceed with the remaining items on the agenda, according to the following process:

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

SEPTEMBER 12, 2018
PLANNING COMMISSION AGENDA



* Deferral
** Withdrawal

A.
COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

B.
STAFF BRIEFINGS
Historic Kempsville – Mark Reed, Historic Preservation Planner

12:00 P.M. – PUBLIC HEARING

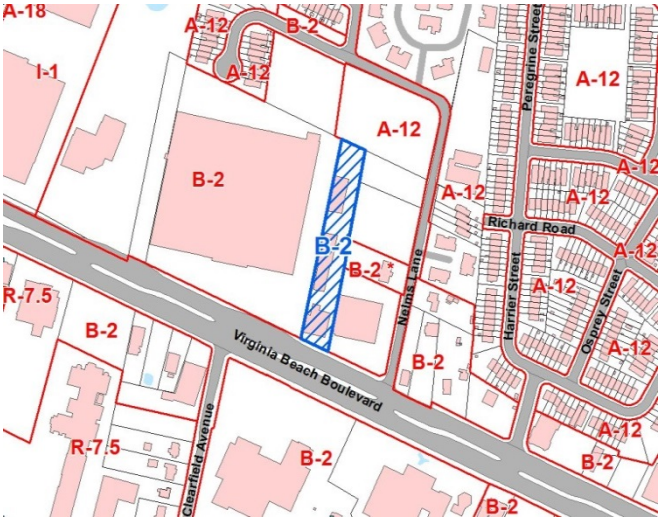
1.
Crespo Enterprises, Inc. d/b/a Roadrunner Towing & AC Enterprises, Inc. d/b/a Logan's Towing [Applicant]
5312 Virginia Beach Boulevard, LLC [Owner]

<u>Conditional Use Permit</u> (Bulk Storage Yard)

5312 Virginia Beach Boulevard

(GPIN 1467676257)

COUNCIL DISTRICT – KEMPSVILLE
Staff Planner – Jonathan Sanders



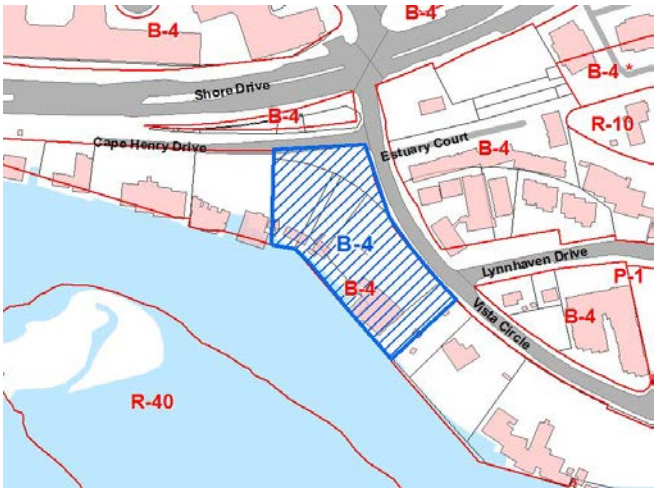
2.
Grier Hahn Ent, Inc. [Applicant]
Poole's Dockside LLC [Owner]

<u>Modification of Conditions</u> (Commercial Marina)

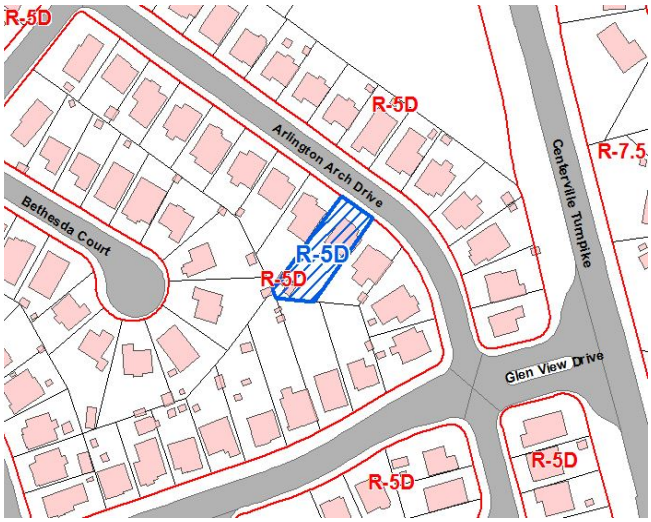
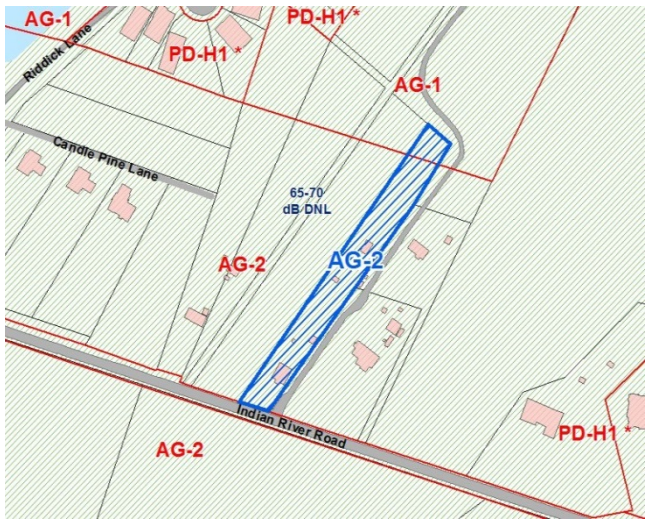
3311 Shore Drive

(GPINS 1489883682,1489884699,1489884455, 1489884670,1489885516,1489885487, 1489886304)

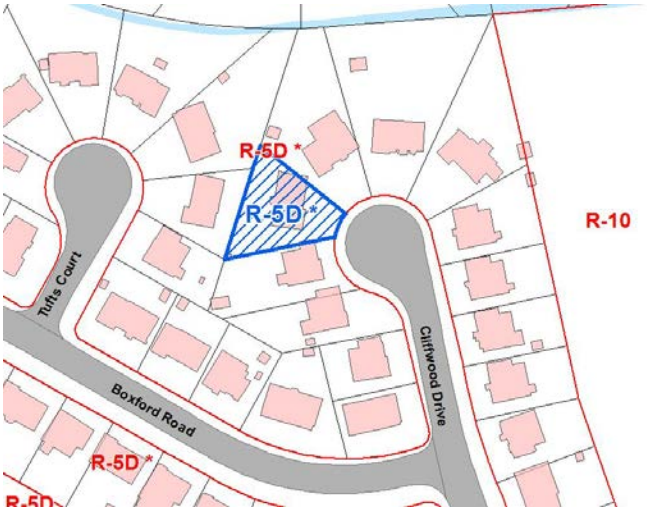
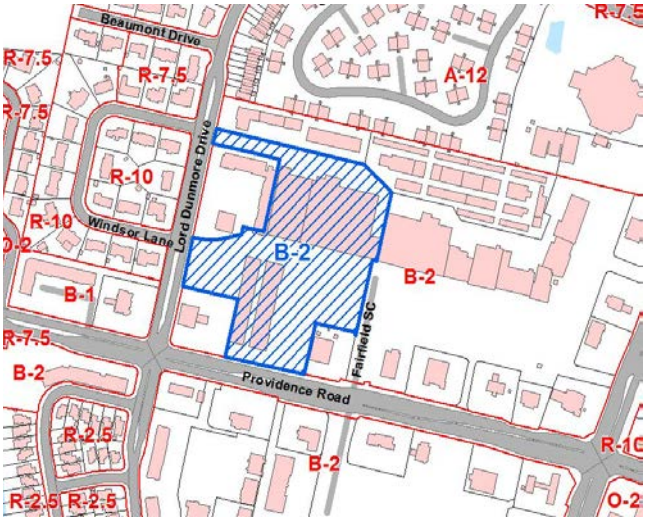
COUNCIL DISTRICT – LYNNHAVEN
Staff Planner – Lane Winesett / Marchelle Coleman



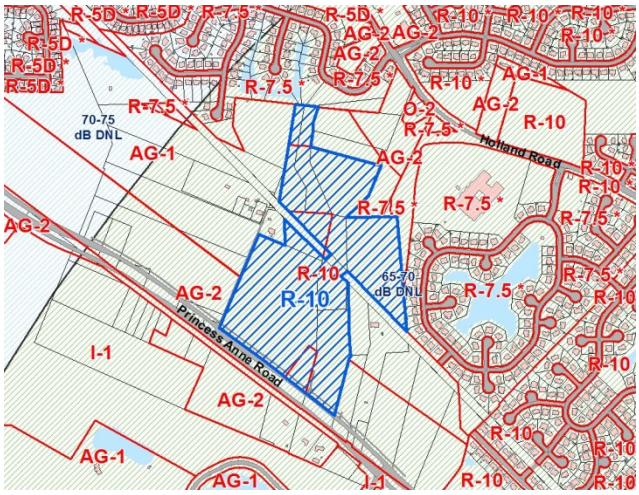
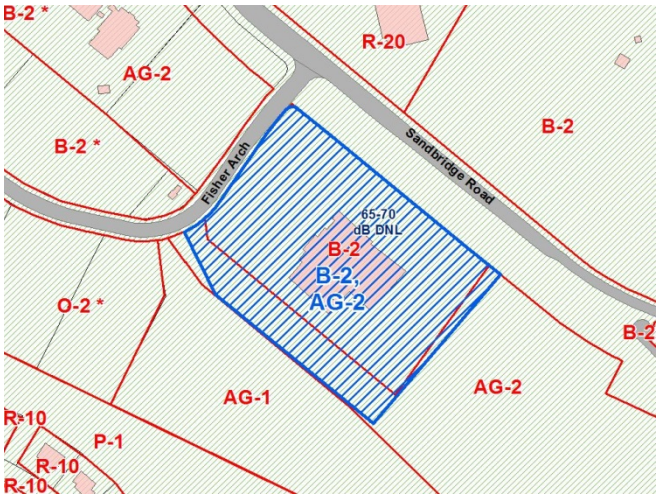
* Deferral
** Withdrawal

3. **Providence Presbyterian Church** [Applicant & Owner] **<u>Conditional Use Permit</u>** (Child Care Education Center in Religious Use) 5497 Providence Road (GPIN 1466147370) COUNCIL DISTRICT – KEMPSVILLE **Staff Planner – Jonathan Sanders**	
4. **Nofisat Tayo Komolafe** [Applicant] **Bolude Jones Komolafe & Nofisat Tayo Komolafe** [Owners] **<u>Conditional Use Permit</u>** (Family Day-Care Home) 1961 Arlington Arch Drive (GPIN 1454991331) COUNCIL DISTRICT – CENTERVILLE **Staff Planner – Robert Davis**	
5. **Mary Bozard** [Applicant] **Thomas Lee Bozard** [Owner] **<u>Conditional Use Permit</u>** (Residential Kennel) 2880 Indian River Road (GPIN 1493335295) COUNCIL DISTRICT – PRINCESS ANNE **Staff Planner – Marchelle Coleman**	

* Deferral
** Withdrawal

6. **Mavis Bahadosingh** [Applicant] **Mavis Bahadosingh and Nichalos Grady** [Owner] **<u>Conditional Use Permit</u>** (Family Day-Care Home) 1605 Cliffwood Drive (GPIN 1475257549) COUNCIL DISTRICT – ROSE HALL **Staff Planner – Robert Davis**	
7. **The Edge Sports, LLC** [Applicant] **Fairfield TIC, LLC; BCP TIC, LLC; DMF TIC, LLC; and GCK TIC, LLC** [Owners] **<u>Conditional Use Permit</u>** (Indoor Recreation Facility) 5258-A Fairfield Shopping Center (GPIN 1466542739) COUNCIL DISTRICT – KEMPSVILLE **Staff Planner – Robert Davis**	

* Deferral
** Withdrawal

8. & 9. **Princess Anne Meadows, LLC** [Applicant] **Princess Anne Meadows, LLC, & William Snowden & James Snowden** [Owners] **<u>Conditional Rezoning</u>** (AG-1 Agricultural to Conditional R-10 Residential) **<u>Modification of Proffers</u>** Princess Anne Road (GPINs 1494470310, 1494461695, 1494471877, 1494464666, 1494475502, 1494475847, 1494479615, 1494481279, 1494482492, 1494485388, 1494483050 and portion of 1485841210) COUNCIL DISTRICT – PRINCESS ANNE **Staff Planner – Jonathan Sanders**	
10. **Anderson's Virginia Beach, LLC** [Applicant] **AGI-VB Holding, LLC** [Owners] **<u>Conditional Use Permit</u>** (Outdoor Recreational Facility) 1925 Fisher Arch (GPIN 2414316336) COUNCIL DISTRICT – PRINCESS ANNE **Staff Planner – Robert Davis**	

* Deferral
** Withdrawal

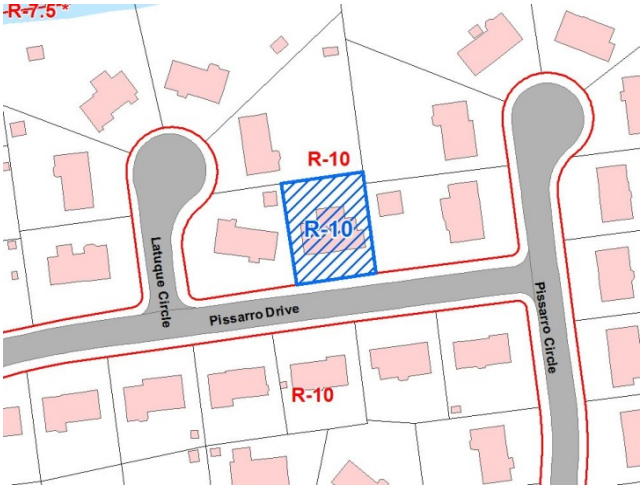
11.
Jasmeen Gould [Applicant]
Cruz Living Trust, dated November 22, 2011 [Owner]

<u>Conditional Use Permit</u> (Family Day-Care Home)

4440 Pissarro Drive

(GPIN 1475669073)

COUNCIL DISTRICT – ROSE HALL
Staff Planner – Robert Davis



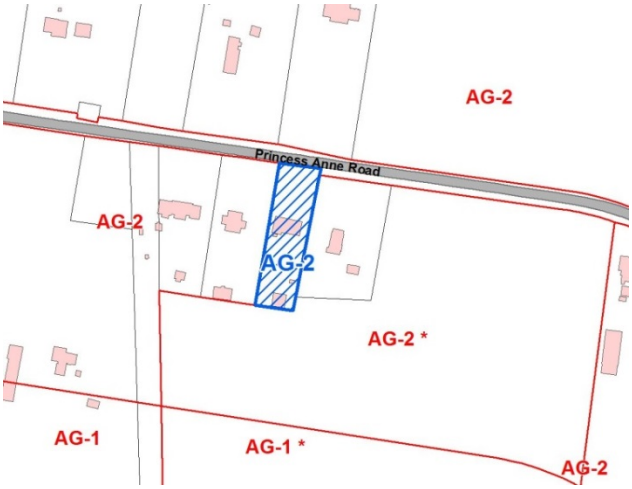
12.
Kyle W. & Bailey B. Fett [Applicant/Owner]

<u>Subdivision Variance</u> (Section 4.4(b) of the Subdivision Regulations)

633 Princess Anne Road

(GPIN 2308792616)

COUNCIL DISTRICT – PRINCESS ANNE
Staff Planner – Jonathan Sanders



13.
City of Virginia Beach – An Ordinance to Adopt and Incorporate into the Virginia Beach Comprehensive Plan the Burton Station Strategic Growth Area Master Plan 2018 which will supersede the Burton Station Strategic Growth Area Master Plan 2009 and to Amend the Executive Summary, and Sections 1.2 (Urban Areas), and Chapter 3 (Plan Implementation and Agenda for Future Action) of the Comprehensive Plan 2016 pertaining to the Burton Station Strategic Growth Area Plan

14.
City of Virginia Beach – An Ordinance to Amend Section 201 of the City Zoning Ordinance pertaining to Permits for Fences

* Deferral
** Withdrawal

PREVIOUSLY DEFERRED

D1.

City of Virginia Beach – An Ordinance to Amend Section 222 of the City Zoning Ordinance pertaining to Communication Towers

DEFERRAL REQUESTED

D2.

27 ½ Street Garage, LLC [Applicant]
27th Street Hotel Associates, LLC [Owner]

Alternative Compliance

2613 Atlantic Avenue

(GPIN 2428101726)

COUNCIL DISTRICT – BEACH
Staff Planner – Kristine Gay

* Deferral
** Withdrawal