

Virginia Beach Planning Commission

Public Hearing Minutes

December 5, 2019

Ms. Oliver: Mr. Inman.

Mr. Inman: Bow your heads. Dear heavenly Father, we come to you today thanking you for your guidance and wisdom. As we begin this hearing today guide our hearts and our minds in the spirit of fairness, right thought and speech. Help us to remember our responsibility to serve our community with great insight, guided by understanding, wisdom and respect for all, as we make decisions today help us to promote the common good as we work together for the betterment of our great city. As trusted servants, we seek blessings on our deliberations and on our efforts here today. Amen.

Ms. Oliver: Amen.

Mr. Redmond: Please join me in the pledge. [Group Pledge] Thank you.

Ms. Oliver: Thank you commissioner Inman and commissioner Redmond, I have asked Commissioner Alcaraz if he would introduce members of our commission please.

Mr. Alcaraz: All right, thank you. Today, I'd like to introduce you those before you today and to my right is Kay Wilson, our city attorney, of course, my name is George Alcaraz, and I represent the beach district. To my left is David Wiener, he represents the Kempsville District and he's in commercial sales. And next to him is Ronald Ripley, he is At-Large and he's in real estate management and development and of course, our chairman Dee Oliver, funeral director, our chairman and next to her is Michael Inman, who's an attorney and he's At-Large, and we have Dave Redmond commercial real estate and he's at Bayside district. And then I'd like to introduce our planning director, Bobby Tajan.

Mr. Tajan: And starting with the planning department staff, we have the Dalina Cartwright, Amanda Sampson and Pam Sandloop working for us today. Our planning administrator Carolyn Smith, our planning evaluation coordinator Bill Landfair, Hoa Dao, Marchelle Coleman, Jonathan Sanders on our planning administration team, Tori Rice with the city attorney's office, and Kevin Kemp our zoning administrator, and also Kevin Hershberger, our zoning, one of our zoning supervisors.

Ms. Oliver: Thank you. The first order of business is the explanation of the rules. We used to run the meeting and our city clerk is going to explain this for us today.

Ms. Sandloop: Thank you Madam Chair. The Virginia Beach Planning Commission takes pride in being fair and courteous to all parties and attendance. It is important that all involved understand how the commission normally conducts its meetings. It is equally important that everyone treat each other and the members of the Commission with respect and civility. The Commission requests that if you have a cell phone please either silence it or turn it off.

This is an abbreviated explanation of the rules. The complete set of rules is located in the front of the planning commission agenda. Following is the order of business for the public hearing. With withdrawals and deferrals, the chairman will ask if there are any requests to withdraw or defer an item on the agenda. Consideration of these requests will be made first. Consent agenda, the second order of business is the consideration of the consent agenda, which are those items that the Planning Commission believe or unopposed and which have favorable staff recommendation, and the regular agenda. The Commission will then proceed with the remaining items on the agenda. Please note that the actions taken by the Commission today are in the form of a recommendation to the Virginia Beach City Council. The final decision to approve or disapprove an application will be made by the City Council. The Commission thanks you for your attendance and we hope that your experience here today leaves you feeling that you have been heard and treated fairly. Thank you.

**Item #1
HR VB Boulevard, LLC
Conditional Use Permit (Indoor Recreational Facility)
4001 Virginia Beach Boulevard
District – Lynnhaven**

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you, Madam Chair. We have 15 items on the consent agenda today. The first item one HR VB Boulevard, an application for conditional use permit for an indoor recreation facility, a property located at 4001 Virginia Beach Boulevard, Lynnhaven District and yes, there he is.

Mr. Nutter: Good afternoon, thank you. For the record, my name is R. J. Nutter, I represent the applicant, appreciate being on the consent agenda. The conditions are perfectly acceptable. So thank you very much. Any questions? I'm happy to answer for you.

Ms. Oliver: Thank you.

Mr. Weiner: Any opposition to this being on the consent agenda? Hearing none, I asked Mr. Inman to review this item please.

Mr. Inman: Thank you, David. This is an application for conditional use permit for indoor recreation a Planet Fitness to be located in Collins Square shopping center, on the boulevard. It's use is consistent with the comprehensive plan according to status report and it supports recreational needs of residents, as this gym will be located within a unit in an existing retail center and the anticipated traffic generated by the use has been accounted for in the original design of the center, proposed use is compatible with the other uses in the center. The zoning ordinance requires a minimum of 103 parking spaces for the proposed use, which will be accommodated on the site. Staff recommends approval. The conditions or the applicant obtain all necessary permits and inspect from the Department of Planning and community development and the health department and the fire department and will also obtain certificate of occupancy. Maximum number of individuals shall not exceed the number required by building codes, as noted on their certificate of occupancy and all exterior building signage will comply with requirements of the city's zoning ordinance. Having considered these conditions we recommended putting it on the consent agenda.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. The applicant shall obtain all necessary permits and inspections from the Department of Planning and Community Development Permit and Inspections Division, the Health Department, and the Fire Department. The applicant shall obtain a Certificate of Occupancy from the Building Official's Office prior to commencing operation.
2. The maximum number of individuals within the facility shall not exceed the maximum number as required by applicable building codes, noted on the Certificate of Occupancy and posted by the Fire Marshal.
3. All exterior building signage shall comply with the requirements of the City Zoning Ordinance, unless authorized by the Board of Zoning Appeals.

**Item #2
RHK Properties, LLC
Modification of Conditions (Motor Vehicle Sales)
2661 Virginia Beach Boulevard
District – Beach**

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Next is item two, RHK Properties LLC, an application for modification of conditions for motor vehicle sales property located at 2661 Virginia Beach Boulevard Beach District.

Mr. Nutter: Thank you. For the record, my name is R. J. Nutter representing the applicant, condition is perfectly acceptable. We appreciate being on the consent agenda and I don't have anything on your December 11 agenda. So I want to thank you for your service. Understand, maybe your last, I hope it's not but at any rate, I don't see the others that I can also thank but thank you for your service, Ron, we appreciate all you've done. Thank you very much.

Ms. Oliver: Thank you.

Mr. Weiner: Is there any opposition to this being on the consent agenda? Hearing none, Mr. Alcaraz has been asked to review this item.

Mr. Alcaraz: Thank you. This application is for modification of conditions for motor vehicle sales. In May of 1966, City Council granted a conditional use permit for motor vehicle sales on this property. The applicant is now requested to modify the conditional use permit to construct a 1370 square foot building on the existing dealership site for the sole purpose of detailing vehicles. The building will be prefabricated with metal structures similar to the rendering. As you see here, the applicant does not intend to do any body work, engine repair, oil change or auto repair of any type within that building. The proposed request to modify the conditions of the use permit for motor vehicles sales is in staff's opinion acceptable, and the request remains in keeping with the AICUZ policies and goals set forth and the comprehensive plan for this area and is compatible with the existing commercial services and uses, therefore the Planning Commission recommends approval with the state of conditions.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff

and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. When the site is developed, the pre-fabricated building shall be in substantial conformance to the architectural style and materials of the rendering entitled “Building Rendering,” dated October 15, 2019. Said rendering has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.
2. No outside storage of equipment, parts, tires or materials shall be permitted.
3. No body work, engine repair, oil changes or any auto repair work shall be permitted to occur within this building

**Item #3
Beach Spirits, LLC
Conditional Use Permit (Craft Distillery)
981 Laskin Road
District – Beach**

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Great, thank you. Next is item three Beach Spirits LLC, an application for conditional use permit, craft distillery located at 981 Laskin Road, Beach District, welcome sir. Please state your name for the record.

Mr. Butler: My name is Jeremiah Butler. I'm with Beach Spirits on the applicant.

Mr. Weiner: All the conditions are acceptable?

Mr. Butler: They are, and I am here for any questions.

Mr. Weiner: Okay.

Mr. Butler: Thank you.

Mr. Weiner: Thank you, sir. Any opposition is being on the consent agenda? Hearing none, Mr. Alcaraz has volunteered to read this one too.

Mr. Alcaraz: This conditional use permit for craft distillery, applicant is requesting to operate a craft distillery within the existing 4420 square foot building that was previously occupied by the American roadside grill restaurant adjacent to the Beach Cinema Alehouse. The portion of the building not to exceed 442 square feet or 10% of the building will be utilized as a tasting room and retail space. There will be no food trucks, food preparation or food service on site. At present the Laskin Road is well below the vehicular traffic volume capacity in the proposed craft distillery generate significantly less vehicular traffic volume compared to the typical B2 use. In addition, major streetscape improvements accommodating pedestrian and bicycles will occur once the Laskin Road capital improvement project is complete. As the site is commercial zoned, staff finds the proposed craft distillery to be in good use of the vacant commercial property compatible with the surrounding areas. Finally Planning Commission recommends approval but the condition stated on the report.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff

and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. The total floor area of the tasting and retail space shall not exceed 442 square feet, or 10 percent of the total building floor area, whichever is greater.
2. There shall be no food trucks, food preparation or food service on-site.
3. The applicant/owner shall submit a Landscape Plan to the Department of Planning and Community Development for review and shall obtain approval prior to the issuance of the Certificate of Occupancy.
4. The maximum number of individuals within the facility shall not exceed the maximum number as required by applicable building codes, noted on the Certificate of Occupancy and posted by the Fire Marshal.
5. A Certificate of Occupancy shall be obtained prior to the operation of the Craft Distillery.
6. A valid license issued by the Virginia Alcoholic Beverage Control Board shall be held by the establishment at all times, and the conditions of such license shall be incorporated as conditions with this Conditional Use Permit.
7. Only spirits and non-alcoholic beverages may be served on the premises. There shall be no sale or consumption of alcoholic beverages on the premises between midnight and 10:00 a.m.
8. Live music shall be allowed only inside the establishment when all the doors and windows are closed. No live music, amplification of music, use of speakers, or monitors will be permitted outdoors in association with the distillery use.

9. All signage on-site shall meet the requirements of the City Zoning Ordinance. There shall be no neon or electronic display signs, or accents installed on any wall area of the exterior of the building, in or on the windows, or on the doors. A sign plan shall be submitted to the Zoning Office for review and permitting prior to the installation of any signage. Any existing signs that did not receive required permits shall be submitted to the Zoning Office for review.
10. All lighting shall be contained on the subject property. The source of the light is to be shielded so as to not be visible from the property line of adjacent residential properties.

Item #4
Pembroke Square Associates, LLC
Conditional Use Permit (Indoor Recreational Facility)
4554 Virginia Beach Boulevard
District – Bayside

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Next is item four, Pembroke Square Associates, LLC and application for conditional use permit for indoor recreation facility located at 4554 Virginia Beach Boulevard Bayside District.

Mr. Weegan: Good afternoon. My name is John Weegan. I'm the architect for Cox Kliever & Company and we don't have any issues with the conditions.

Mr. Weiner: Thank you, sir.

Mr. Weegan: Thank you.

Mr. Weiner: Is there any opposition for this being on the consent agenda? Hearing none, Mr. Redmond has been asked to read this.

Mr. Redmond: Thank you Mr. Winter, Madam Chair. This is an application for conditional use permit on property located at 4554 Virginia Beach Boulevard, which is also known as Pembroke Mall. The zoning ordinance allows indoor recreation facilities of 7500 square feet or less as a matter of right. This facility however, is 17,100 square feet. It'll include rock climbing facilities, fitness and cardio equipment and a room for yoga and fitness classes as you can see from the rendering that's provided. The exterior of the building will be a brick, stone veneer, and EIFS materials. The total height of the facade will be 55 feet in height and is consistent with the surrounding buildings facade within and around Pembroke Mall. The parking is no issue, staff studied that and we are unaware of any opposition to the application and the commission consents, thank you.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. When the site is developed, it shall be in substantial conformance with the site layout entitled “Existing Condition, Layout & Utility Plan for Latitude Pembroke Mall,” dated 09/17/2019, and prepared by MSA, P.C. Said plan has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.
2. When the site is developed, the building shall have the architectural style, colors and materials of the renderings entitled “Latitude – Revised Conceptual Rendering, Pembroke Southwest Tenant – Pembroke Mall,” dated September 19, 2019, and prepared by Cox Kliever & Company, P.C. Said plan has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.
3. When the site is developed, the landscaping plan shall be in substantial conformance with the landscape plan entitled “Proposed Landscape Plan,” dated October 14, 2019, and prepared by MSA, P.C. Said plan has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.
4. The outdoor entry area should be improved with amenities including plantings, pavers, benches or other furnishings and/or other outdoor landscape improvements.
5. The applicant shall obtain all necessary permits and inspections from the Department of Planning and Community Development Permit and Inspections Division, the Health Department, and the Fire Department. The applicant shall obtain a Certificate of Occupancy from the Building Official’s Office prior to commencing operation.
6. The maximum number of individuals within the facility shall not exceed the maximum number as determined by the Fire Marshal.

7. All exterior building signage shall comply with the requirements of the City Zoning Ordinance, unless authorized by the Board of Zoning Appeals.

Item #5
New Life Tabernacle of Virginia Beach, Inc.
Conditional Use Permit (Indoor Recreational Facility)
3157 Shipps Corner Road
District – Rose Hall

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Next is item five New Life Tabernacle in Virginia Beach, an application for conditional use permit for religious use at 3157 Shipps Corner Road, Rose Hall District, welcome,

Mr. McCormick: Good afternoon Madam Chair, fellow Commissioners. My name is John McCormick. I'm an attorney for the applicant and we are in agreement with the conditions. We appreciate the city's favorable recommendation. It's been a privilege working with Mr. Dao. I am available for questions.

Ms. Oliver: Thank you.

Mr. Weiner: Is there any opposition to this be on a consent agenda? Hearing none, Mr. Ripley has asked to review this item.

Mr. Ripley: Thank you. This is a conditional use permit to really to expand a church, the church is located in a small commercial type building and they want to expand, they have about right now about 3744 square feet and they're going to add 2496 square feet for 6200 square foot, they wanna add offices and some classrooms, this really is a very routine application. The only peculiar thing is that the parking that's accommodates 90 and they need the 102 so they are going to provide some offsite parking for their members. Other than that staff recommended approval and Planning Commission felt it ought to be on consent.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest

in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT

GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. The church shall not exceed two hundred (200) seats in the main sanctuary; however, the maximum number of individuals within the facility shall not exceed the maximum number as required by applicable building codes, noted on the Certificate of Occupancy and posted by the Fire Marshal.
2. A Certificate of Occupancy shall be obtained prior to occupancy of Suite 101.
3. Prior to the issuance of the Certificate of Occupancy, the applicant shall submit a Shared Parking Plan and Agreement to the Virginia Beach Planning Department that demonstrates the applicant's/owner's ability to use the shared on-site and off-site parking for the proposed church. Such agreement shall be subject to the review and approval of the Director of Planning or designee.
4. All signage on-site shall meet the requirements of the City Zoning Ordinance. There shall be no neon or electronic display signs or accents installed on any wall area of the exterior of the building, in or on the windows, or on the doors. A sign plan shall be submitted to the Zoning Office for review and permitting prior to the installation of any signage. Any existing signs that did not receive required permits shall be submitted to the Zoning Office for review.

Item #6
RAW Enterprises, Inc.
Conditional Rezoning (B-2 Community Business District to Conditional A-18 Apartment District)
2601 Princess Anne Road
District – Princess Anne

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Next is item six RAW Enterprises, an application for conditional rezoning B-2 community business district to A-18 apartment district and the property located northwest corner of Princess Anne Road, Nimmo Parkway in Princess Anne District.

Mr. Bourdon: Thank you Madam Chair, Mr. Weiner for the record Eddie Bourdon Virginia Beach attorney. My clients are here this afternoon, Rick Sabina and Rob Wadsworth. I need to take a couple of seconds here. So please indulge me. We've been working on this since the fall of 2017. They have especially and first of all, I want to thank some people like to thank former and retired planning director, Barry Frankenfield who strongly supported my clients vision for this property, along with our current director, Bobby Tajan for also having firmly supported our vision for this property as a beautiful enhancement to the entrance to the courthouse, Historic District at the major intersection of Nimmo Parkway in Princess Anne Road. I'd like to thank Jonathan Sanders and the city's historic review board for their input and for their support of this vision and I would like to thank Bill Landfair, Carolyn Smith and one of our departed planners Mr. Jimmy McNamara for their support. This project has taken well over two years, the application wasn't filed until March of 2018 because we're doing a lot of work upfront, but it's taking this long due to storm water, new reviews of this B-2 zoned parcel, which already had a reviewed, approved, bonded, built, inspected and accepted stormwater retention system. My client's development represents a decrease in the impervious surface on this property over what was used to design the storm water system for the whole property up there which includes the courthouse marketplace. It's about a 15% reduction in impervious surface over what was included in the design of the system for that whole property. And in addition to that, this project will include almost 67,000 cubic feet of storm additional underground stormwater storage capacity that would not have been legally required with a by right B-2 development of this property. So in addition to it being, I think a beautiful enhancement to what people will see is it coming to the courthouse complex over what they have some nice shopping center, but a field of parking, etc. The stormwater and I wanted two of our commissioners who represent this area who aren't here today to have this on the

record that's a huge, huge improvement for the storm water situation. And I want lastly thank the commission for placing the item on the consent agenda. Thank you.

Ms. Oliver: Thank you.

Mr. Weiner: Is there any opposition to this being placed on the consent agenda? Hearing none, Mr. Inman has asked to review the item.

Mr. Inman: Thank you, David. As you heard from Mr. Bourdon, this is a rezoning, conditional rezoning from B-2 to A-18 apartment, zoning and the proposal in the staff's opinion is consistent with the comprehensive plans vision for the historic Princess Anne Center. The sub area of the Princess Anne Commons calls for highly attractive residential uses that complement the Municipal Center along with the adjacent senior development. The project will provide a transition from the commercial activities at the courthouse marketplace shopping center to the less intense land uses of single family residential and religious uses along Princess Anne Road, The applicant has worked with staff to provide architecture that will complement the historic district, given the location in the Princess Anne Courthouse historic and cultural zoning overlay district. That's a mouthful. The proposal has been reviewed by the Historical Review Board, which is tasked with reviewing the exterior materials scale and style architecture and signage for appropriateness with the historic district, the board granted a certificate of appropriateness for this development. As recommended by the comprehensive plan, applicant submitted a preliminary stormwater management analysis to the Development Services Center outlining their proposed stormwater strategy which Mr. Bourdon explained in detail. And the DSC is confident that the submitted strategy has potential to successfully comply with all stormwater regulations to this site. There are five proffers also which will go to record about this development, which focus on site development issues, Ingress egress, architectural design, and any other request that might be made during the process of review by the DSC, based on all the above and Mr. Bourdon's description, and the staff analysis, we've put this on a consent agenda.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have

ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

	AYE 5	NAY 0	ABS 1	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND			ABSTAIN	
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

PROFFERS

The following are proffers submitted by the applicant as part of a Conditional Zoning Agreement (CZA). The applicant, consistent with Section 107(h) of the City Zoning Ordinance, has voluntarily submitted these proffers in an attempt to “offset identified problems to the extent that the proposed rezoning is acceptable,” (§107(h)(1)). Should this application be approved, the proffers will be recorded at the Circuit Court and serve as conditions restricting the use of the property as proposed with this change of zoning.

Proffer 1:

When the Property is developed, it shall be as a residential condominium community, with no more than thirty-seven (37) residential units, substantially in accordance with the exhibit entitled, “Nimmo Pkwy Site Conceptual Site Layout”, dated July 23, 2018, as revised, which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning (the “Conceptual Plan”).

Proffer 2:

When the Property is developed, vehicular Ingress and Egress to the Property shall be limited to the access depicted on the Conceptual Plan.

Proffer 3:

When the Property is developed, the total number of residential units thereon shall not exceed thirty-seven (37) and they will be subject to a Condominium Declaration. The Condominium Association shall be responsible for maintaining all common areas including landscaped areas, streets and stormwater management facilities.

Proffer 4:

When the Property is developed, the architectural design and primary exterior building materials for the new residential dwellings depicted on the “Conceptual Plan” will be substantially as depicted on the exhibits entitled “Rendering Townhouse Condominium @ Nimmo Pkwy Site” and “Materials Board For Townhouse Condominium @ Nimmo Pkwy Site”, dated August 31, 2018, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning (“Rendering” and “Materials”).

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.

Item #7
Cellco Partnership d/b/a Verizon Wireless
Conditional Use Permit (Communication Tower)
2313 Treesong Trail
District – Princess Anne

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Next item seven Cellco Partnership Verizon Wireless, an application for a conditional use permit for communication tower, located at 2313 Treesong Trail, Princess Anne District.

Mr. Romine: Good afternoon Madam Chair, Vice Chair for the record, Steve Romine on behalf of Cellco Partnership doing business with Verizon Wireless. We thank you for placing us on the consent agenda. The six conditions in the staff report are acceptable. And I'll stand by for questions. Thank you.

Ms. Oliver: Thank you.

Mr. Romine: Happy Holidays.

Ms. Oliver: Thank you.

Mr. Weiner: Is there any opposition to this being placed on the consent agenda? Hearing none, Mr. Ripley has been asked to review this item.

Mr. Ripley: As mentioned, this is located at 2313 Treesong Trail and it's located at the end of the Small Short Road actually on a piece of land that's almost 10 acres, tiny three quarters. It's a 110 foot, proposed 110 foot cell tower located on it, it's been processed through the city and all the different rags that you need to look at with a cell tower has been looked at here and passed by staff. The visibility of it is they tried to keep it away from the visibility of the roads and the residents in the area. I'm sure somebody will see it, but it's, it's hidden as best as they could do. Again, it's, you know, it's a cell tower that's going to service the area, there is room for co-locations to be on it and the staff recommended approval of planning commission reviewed it and they felt it ought to be on consent as well.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff

and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. The Communications Tower shall be located within the lease area and developed substantially in conformance with the submitted plan package entitled “Enlarged Site Plan,” prepared by Clark Nexsen, with a revised date of 2/27/19.
2. A full structural report shall be submitted during detailed site plan review.
3. A depiction of the location of required FCC hazard safety signage, if any, on the site and sign diagrams shall be required during detailed site plan review.
4. The maximum height of the tower shall be 110 feet above ground level, inclusive of the lightning rod.
5. 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.
6. In the event that the antennae on the tower are inactive for a period of two years, the tower shall be removed at the applicant’s expense.

**Item #8
Wolfe Bros Events, LLC
Conditional Use Permit (Assembly Use)
1145 Princess Anne Road
District – Beach**

December 5, 2019

DEFERRED

Ms. Oliver: Thank you. The next order of business is to address those items to be deferred or withdrawn. Does anyone have any items to be withdrawn today? All right, hearing none, the next is any items to be deferred.

Mr. Bourdon: Good afternoon Madam Chair, members of the Commission for the record Eddie Bourdon, Virginia Beach attorney, case number 10 for CEBT Properties LLC, we are requesting a deferral as you were all advised by the zoning administrator, Mr. Kemp in the informal. We anticipate being on the January agenda, but we have some paperwork to complete.

Ms. Oliver: Right. Thank you very much.

Mr. Bourdon: Thank you.

Ms. Oliver: Are there any other items to be deferred? The chair has been made aware that item number eight is been placed on our list for deferrals. Is there anyone any opposition to this being placed on being deferred? All right, may I have a motion on the floor to defer items number 8 and 10 on our agenda please?

Mr. Weiner: Madam Chair, I will make motion to defer items number 8 and 10.

Mr. Redmond: Second.

Ms. Oliver: Second, thank you.

Ms. Cartwright: Vote is open.

Ms. Sandloop: By recorded vote of 6-0, agenda items number eight and 10 have been deferred, 8 is deferred indefinitely. Item number 10 is deferred for 30 days.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			

REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

**Item #9
CEBT Properties, LLC
Conditional Use Permit (Short Term Rental)
402B 27th Street
District – Beach**

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Madam Chair, the next items fall under the short term rental consent agenda. The Planning Commission places the following applications for conditional use permit for the short term rental of the consent agenda. As these items meet the applicable requirements of sections 241.2 of the zoning ordinance, Staff and Planning Commission supports the applications and there's no known oppositions to these request for items number 9, 11, 12, 13, 14, 15, 16 and 17. Accept.

Ms. Oliver: Welcome, Mr. Bourdon.

Mr. Bourdon: Yes, just for the record, I represent all of the applications that Mr. Weiner just read. My clients are here along with a number of other people who live in the vicinity, I have provided the commission's clerk with a copy of petition and support from folks who live in the immediate block, blocks of these properties are located in for the record, all of the conditions as recommended by staff are acceptable in each and every one of these cases. And as I may have mentioned to two of you, after the informal broke up, they have no intention of allowing any of these units to be occupied by more than 15 or 20 people for any kind of event. So, I understand why that condition is in there, but I don't want anyone to have and I know you all don't but even the public at large to believe that this applicant is going to allow or expect 50 people to be and some of that at one of these houses .So I understand why they are not complaining about it, but just want to set the record straight. Okay, thank you.

Mr. Weiner: Thank you.

Ms. Oliver: Thank you.

Ms. Sandloop: Madam Chair, we did have one speaker come in, Nancy Parker. She has questions apparently about items 9, 11, 12 and 13.

Ms. Oliver: Yes, come on up, Mrs. Parker, 9, 10, 11, and 13.

Ms. Sandloop: 9, 11, 12 and 13.

Ms. Oliver: Okay.

Ms. Parker: Madam Chairman, members of the Planning Commission. I appreciate the job y'all are doing back over how many years ago I sat in your same seat and it's that planning soul that made me come down here and have to speak today. I'm not speaking so much against the idea of short term rentals, but I would ask you as a cautionary note, to look at the numbers that are being put in a specific area. Because what happens is this whole Beach area District, as you well know, has gone through some dramatic changes since the 1980s. And there've been some people that came well before May, who took a lot of time and energy including Lynnward Branch, Marian Nixon, Bobby Yates, Barbara Clarke that saw a real transition of this area and the stabilization of this into strong neighborhoods, and even in your comprehensive land use plan as well as the race that plan and the one is undergoing revision right now, which Mr. Inman was saying yesterday, talks about the stability of these neighborhoods. And if you're not careful, the question becomes what becomes the tipping point? What begins to change a neighborhood from having that strong fabric of people who live there on a year round basis, who put their heart and soul who raised their kids there, and then it becomes something else inadvertently, its unintended consequences. The other aspect I wonder is how many people and this is a bigger broader picture for short term rentals. Because we know we have this Something In The Water. How many people have to come and get a conditional use permit for a single use basically for the short term, Something In The World which is a one week but it puts something very different, puts a different tag on that house and in that neighborhood, and even in the federal government guidelines, if I recall correctly, you can rent your house out for two weeks and still consider it your main home, you don't have to pay any kind of taxes on it. So, again, think long term, think implications, because this is the big starting point, really for our neighborhood, as well as a lot of other neighborhoods that live near resort areas. So again, cautionary flag, think long term, think the impact on this particular area, what are you going to do? And how does that emanate to the rest of the Beach District, as we've worked long and hard to get it to where it is today, and it's a strong, family centric area. Thank you very much for your time.

Ms. Oliver: Thank you. Anybody have any questions? Thank you very much.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. The following conditions apply to the unit specified in this request. A separate conditional use permit and/or modification, as necessary, must be obtained for any additional units on the site wishing to operate as a short-term rental.
2. Short-term rental shall only occur in the principal structure addressed as unit 402B 27th Street.
3. The garage space within the unit must remain a minimum size of 9-feet by 18-feet, contain a minimum 8-foot wide vehicle entryway opening, and must be accessible to the short-term rental tenants.
4. As depicted on the floor plan entitled, “402 Unit B 27th Street, VB Homes - Builder,” prepared by Residential Designs, LTD., and dated June 5, 2018, the first-floor “media room” shall not be used as a bedroom when the home is being used as a short-term rental.
5. While this conditional use permit is active, parking passes issued for the subject dwelling unit through the Residential Parking Permit Program (RPPP) shall be limited to two residential passes only. Guest permits and temporary permits through the RPPP shall not be permitted.
6. This conditional use permit shall expire five (5) years from the date of approval. The renewal process may be administrative and performed by the Planning Department; however, the Planning Department shall notify the City Council in writing prior to the renewal of any conditional use permit for short-term rental, where it has been the subject of neighborhood complaints, violations of its conditions, or violations of any building, housing, zoning, fire, or other similar codes.
7. No events with more than fifty (50) people present, shall be held absent a special event permit. Events with more than fifty (50) people are limited to no more than three (3) events

in a calendar year. No more than one hundred (100) people shall be present at any event held on the property.

8. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator, or agent of the owner or operator, who is available to be contacted and to address conditions occurring at the short-term rental within thirty (30) minutes. Physical response to the site of the short-term rental is not required.
9. If the ownership of the property changes, it is the seller's responsibility to notify the new property owner of requirements "a" through "c" below. This information must be submitted to the Department of Planning and Community Development for review. Notification shall be done within six (6) months of the property real estate transaction closing date.
 - a) A completed Department of Planning and Community Development Short-Term Rental registration form;
 - b) Copies of the Commissioner of Revenue's office receipt of registration; and
 - c) Proof of liability insurance applicable to the rental activity of at least one-million dollars.
10. To the extent permitted by state law, each short-term rental must maintain registration with the Commissioner of Revenue's Office and pay all applicable taxes.
11. The owner or operator shall provide proof of liability insurance applicable to the rental activity at registration and renewal of at least one-million dollars (\$1,000,000.00) underwritten by insurers acceptable to the City.
12. There shall be posted in a conspicuous place within the dwelling a summary provided by the Zoning Administrator of City Code sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach), 12-43.2 (fireworks), and a copy of any approved parking plan.
13. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code sections 31-26, 31-27 and 31-28.
14. The short-term rental shall have no more than two (2) rental contracts during any consecutive seven (7) day period.
15. There shall be no outdoor amplified sound after 10:00 p.m. or before 10:00 a.m.
16. The maximum number of persons on the property after 11:00 p.m. and before 7:00 a.m. ("Overnight Lodgers") shall be nine (9) individuals (three (3) individuals per bedroom).
17. To the extent permissible under state law, interconnected smoke detectors (which may be wireless), a fire extinguisher and, where natural gas or propane is present, carbon monoxide detectors shall be installed in each short-term rental.

Item #10
CEBT Properties, LLC
Conditional Use Permit (Short Term Rental)
400A 27th Street
District – Beach

December 5, 2019

DEFERRED

Ms. Oliver: Thank you. The next order of business is to address those items to be deferred or withdrawn. Does anyone have any items to be withdrawn today? All right, hearing none, the next is any items to be deferred.

Mr. Bourdon: Good afternoon Madam Chair, members of the Commission for the record Eddie Bourdon, Virginia Beach attorney, case number 10 for CEBT Properties LLC, we are requesting a deferral as you were all advised by the zoning administrator, Mr. Kemp in the informal. We anticipate being on the January agenda, but we have some paperwork to complete.

Ms. Oliver: Right. Thank you very much.

Mr. Bourdon: Thank you.

Ms. Oliver: Are there any other items to be deferred? The chair has been made aware that item number eight is been placed on our list for deferrals. Is there anyone any opposition to this being placed on being deferred? All right, may I have a motion on the floor to defer items number 8 and 10 on our agenda please?

Mr. Weiner: Madam Chair, I will make motion to defer items number 8 and 10.

Mr. Redmond: Second.

Ms. Oliver: Second, thank you.

Ms. Cartwright: Vote is open.

Ms. Sandloop: By recorded vote of 6-0, agenda items number eight and 10 have been deferred, 8 is deferred indefinitely. Item number 10 is deferred for 30 days.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT

INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

CONDITIONS

1. Approval of this conditional use permit is contingent upon obtaining a Board of Zoning Appeals (BZA) variance for the deficiency of available off-street parking for the short-term rental use, or providing the appropriate number of off-street parking spaces as required by City Zoning Ordinance Section 241.2 and approved by the Zoning Administrator. A parking plan must be approved by the Zoning Administrator showing how parking will be accommodated, including the use of off-site parking spaces.
2. The following conditions apply to the unit on the property requesting this short-term rental conditional use permit. A separate conditional use permit and/or modification, as necessary, must be obtained for any additional units on the site wishing to operate as a short-term rental.
3. Short-term rental shall only occur in the principal structure addressed as unit 400A 27th Street.
4. If additional impervious parking area is added on the property, an site plan shall be submitted to the Development Services Center (DSC) and Zoning Administration of the Planning and Community Development Department for review of the stormwater management and maximum allowable impervious cover. Any improvements related to the stormwater management shall be installed, inspected and deemed acceptable by the Permits and Inspections Division of the Planning Department prior to issuance of a conditional use permit and issuance of a Business License/registration for use as a short-term rental.
5. As depicted on the floor plan titled, “400 Unit A 27th Street, VB Homes -Builder,” prepared by Residential Designs, LTD., and dated June 5, 2018, the first-floor “media room” shall not be used as a bedroom when the home is being used as a short-term rental.
6. While this conditional use permit is active, no Residential Parking Permit Program (RPPP) passes shall be issued for the subject dwelling unit.
7. This Conditional Use Permit shall expire five (5) years from the date of approval. The renewal process of the Conditional Use Permit will be administrative and performed by the Planning Department; however, the Planning Department shall notify the City Council in writing prior to the renewal of any conditional use permit for a short-term rental, where it has been the subject of neighborhood complaints, violations of its conditions or violations of any building, housing, zoning, fire or other similar codes.

8. No events with more than fifty (50) people present, shall be held absent a special event permit. Events with more than fifty (50) people are limited to no more than three (3) events in a calendar year. No more than one hundred (100) people shall be present at any event held on the property.
9. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator, or agent of the owner or operator, who is available to be contacted and to address conditions occurring at the Short-Term Rental within thirty (30) minutes. Physical response to the site of the Short-Term Rental is not required.
10. If, or when, the ownership of the property changes, it is the seller's responsibility to notify the new property owner of requirements "a" through "c" below. This information must be submitted to the Department of Planning and Community Development for review. Notification shall be done within six (6) months of the property real estate transaction closing date.
 - a) A completed Department of Planning and Community Development Short-Term Rental registration form;
 - b) Copies of the Commissioner of Revenue's office receipt of registration; and
 - c) Proof of liability insurance applicable to the rental activity of at least one-million dollars.
11. To the extent permitted by state law, each short-term rental must maintain registration with the Commissioner of Revenue's Office and pay all applicable taxes.
12. The owner or operator shall provide proof of liability insurance applicable to the rental activity at registration and renewal of at least one-million dollars (\$1,000,000.00) underwritten by insurers acceptable to the City.
13. There shall be posted in a conspicuous place within the dwelling a summary provided by the Zoning Administrator of City Code sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach), 12-43.2 (fireworks), and a copy of any approved parking plan.
14. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code sections 31-26, 31-27 and 31-28.
15. The Short-Term Rental shall have no more than two (2) rental contracts during any consecutive seven (7) day period.
16. There shall be no outdoor amplified sound after 10:00 p.m. or before 10:00 a.m.
17. The maximum number of persons occupying unit 400A after 11:00 p.m. and before 7:00 a.m. ("Overnight Lodgers") shall be nine (9) individuals (three (3) individuals per bedroom).

18. To the extent permissible under state law, interconnected smoke detectors (which may be wireless), a fire extinguisher and, where natural gas or propane is present, carbon monoxide detectors shall be installed in each Short-Term Rental.

**Item #9
CEBT Properties, LLC
Conditional Use Permit (Short Term Rental)
402B 27th Street
District – Beach**

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Madam Chair, the next items fall under the short term rental consent agenda. The Planning Commission places the following applications for conditional use permit for the short term rental of the consent agenda. As these items meet the applicable requirements of sections 241.2 of the zoning ordinance, Staff and Planning Commission supports the applications and there's no known oppositions to these request for items number 9, 11, 12, 13, 14, 15, 16 and 17. Accept.

Ms. Oliver: Welcome, Mr. Bourdon.

Mr. Bourdon: Yes, just for the record, I represent all of the applications that Mr. Weiner just read. My clients are here along with a number of other people who live in the vicinity, I have provided the commission's clerk with a copy of petition and support from folks who live in the immediate block, blocks of these properties are located in for the record, all of the conditions as recommended by staff are acceptable in each and every one of these cases. And as I may have mentioned to two of you, after the informal broke up, they have no intention of allowing any of these units to be occupied by more than 15 or 20 people for any kind of event. So, I understand why that condition is in there, but I don't want anyone to have and I know you all don't but even the public at large to believe that this applicant is going to allow or expect 50 people to be and some of that at one of these houses .So I understand why they are not complaining about it, but just want to set the record straight. Okay, thank you.

Mr. Weiner: Thank you.

Ms. Oliver: Thank you.

Ms. Sandloop: Madam Chair, we did have one speaker come in, Nancy Parker. She has questions apparently about items 9, 11, 12 and 13.

Ms. Oliver: Yes, come on up, Mrs. Parker, 9, 10, 11, and 13.

Ms. Sandloop: 9, 11, 12 and 13.

Ms. Oliver: Okay.

Ms. Parker: Madam Chairman, members of the Planning Commission. I appreciate the job y'all are doing back over how many years ago I sat in your same seat and it's that planning soul that made me come down here and have to speak today. I'm not speaking so much against the idea of short term rentals, but I would ask you as a cautionary note, to look at the numbers that are being put in a specific area. Because what happens is this whole Beach area District, as you well know, has gone through some dramatic changes since the 1980s. And there've been some people that came well before May, who took a lot of time and energy including Lynnward Branch, Marian Nixon, Bobby Yates, Barbara Clarke that saw a real transition of this area and the stabilization of this into strong neighborhoods, and even in your comprehensive land use plan as well as the race that plan and the one is undergoing revision right now, which Mr. Inman was saying yesterday, talks about the stability of these neighborhoods. And if you're not careful, the question becomes what becomes the tipping point? What begins to change a neighborhood from having that strong fabric of people who live there on a year round basis, who put their heart and soul who raised their kids there, and then it becomes something else inadvertently, its unintended consequences. The other aspect I wonder is how many people and this is a bigger broader picture for short term rentals. Because we know we have this Something In The Water. How many people have to come and get a conditional use permit for a single use basically for the short term, Something In The World which is a one week but it puts something very different, puts a different tag on that house and in that neighborhood, and even in the federal government guidelines, if I recall correctly, you can rent your house out for two weeks and still consider it your main home, you don't have to pay any kind of taxes on it. So, again, think long term, think implications, because this is the big starting point, really for our neighborhood, as well as a lot of other neighborhoods that live near resort areas. So again, cautionary flag, think long term, think the impact on this particular area, what are you going to do? And how does that emanate to the rest of the Beach District, as we've worked long and hard to get it to where it is today, and it's a strong, family centric area. Thank you very much for your time.

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Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
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HORSLEY				ABSENT
INMAN	AYE			
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2. The approval of this Conditional Use Permit shall expire five (5) years from the date of approval. The renewal process may be administrative and performed by the Planning Department; however, the Planning Department shall notify the City Council in writing prior to the renewal of any conditional use permit for a short-term rental, where the short-term rental has been the subject of neighborhood complaints, violations of its conditions or violations of any building, housing, zoning, fire or other similar codes.
3. No events with more than fifty (50) people present, shall be held absent a special events permit. Events with more than fifty (50) people are limited to no more than three (3) events in a calendar year. No more than one hundred (100) people shall be present at any event held on the property.
4. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator or an agent of the owner or operator, who is available to be contacted and to address conditions occurring at the short term rental within thirty (30) minutes. Physical response to the site of the short term rental is not required.
5. If the ownership of the property changes, it is the seller’s responsibility to notify the new property owner of requirements “a” through “c” below. This information must be submitted to the Department of Planning and Community Development for review. Notification shall be done within six (6) months of the property real estate transaction closing date, otherwise the use of the conditional use for short term rental shall be null and void.
 - a) A completed Department of Planning and Community Development Short-Term Rental registration form;
 - b) Copies of the Commissioner of Revenue’s office receipt of registration; and

- c) Proof of liability insurance applicable to the rental activity of at least one-million dollars.
6. To the extent permitted by state law, each short term rental must maintain registration with the Commissioner of Revenue's office and pay all applicable taxes.
 7. There shall be posted in a conspicuous place within the dwelling a summary provided by the Zoning Administrator of City Code Sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach), 12-43.2 (fireworks), and a copy of any approved parking plan.
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 11. There shall be no outdoor amplified sound after 10:00 p.m. or before 10:00 a.m.
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Item #12 & 13
CEBT Properties, LLC
Conditional Use Permit (Short Term Rental)
320 27th Street & 320 26 ½ Street
District – Beach

December 5, 2019

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Mr. Bourdon: Yes, just for the record, I represent all of the applications that Mr. Weiner just read. My clients are here along with a number of other people who live in the vicinity, I have provided the commission's clerk with a copy of petition and support from folks who live in the immediate block, blocks of these properties are located in for the record, all of the conditions as recommended by staff are acceptable in each and every one of these cases. And as I may have mentioned to two of you, after the informal broke up, they have no intention of allowing any of these units to be occupied by more than 15 or 20 people for any kind of event. So, I understand why that condition is in there, but I don't want anyone to have and I know you all don't but even the public at large to believe that this applicant is going to allow or expect 50 people to be and some of that at one of these houses .So I understand why they are not complaining about it, but just want to set the record straight. Okay, thank you.

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Ms. Sandloop: 9, 11, 12 and 13.

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Mr. Alcaraz: Second.

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Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

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Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

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**Item #14 & 15
CEBT Properties, LLC
Conditional Use Permit (Short Term Rental)
617 23rd Street, Unit 1 & Unit 5
District – Beach**

December 5, 2019

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**Item #16
C and C Development Company
Conditional Use Permit (Short Term Rental)
2416 Arctic Avenue
District – Beach**

December 5, 2019

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Ms. Sandloop: 9, 11, 12 and 13.

Ms. Oliver: Okay.

Ms. Parker: Madam Chairman, members of the Planning Commission. I appreciate the job y'all are doing back over how many years ago I sat in your same seat and it's that planning soul that made me come down here and have to speak today. I'm not speaking so much against the idea of short term rentals, but I would ask you as a cautionary note, to look at the numbers that are being put in a specific area. Because what happens is this whole Beach area District, as you well know, has gone through some dramatic changes since the 1980s. And there've been some people that came well before May, who took a lot of time and energy including Lynnward Branch, Marian Nixon, Bobby Yates, Barbara Clarke that saw a real transition of this area and the stabilization of this into strong neighborhoods, and even in your comprehensive land use plan as well as the race that plan and the one is undergoing revision right now, which Mr. Inman was saying yesterday, talks about the stability of these neighborhoods. And if you're not careful, the question becomes what becomes the tipping point? What begins to change a neighborhood from having that strong fabric of people who live there on a year round basis, who put their heart and soul who raised their kids there, and then it becomes something else inadvertently, its unintended consequences. The other aspect I wonder is how many people and this is a bigger broader picture for short term rentals. Because we know we have this Something In The Water. How many people have to come and get a conditional use permit for a single use basically for the short term, Something In The World which is a one week but it puts something very different, puts a different tag on that house and in that neighborhood, and even in the federal government guidelines, if I recall correctly, you can rent your house out for two weeks and still consider it your main home, you don't have to pay any kind of taxes on it. So, again, think long term, think implications, because this is the big starting point, really for our neighborhood, as well as a lot of other neighborhoods that live near resort areas. So again, cautionary flag, think long term, think the impact on this particular area, what are you going to do? And how does that emanate to the rest of the Beach District, as we've worked long and hard to get it to where it is today, and it's a strong, family centric area. Thank you very much for your time.

Ms. Oliver: Thank you. Anybody have any questions? Thank you very much.

Mr. Weiner: Okay, Madam Chair, I move for approval on the consent agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17.

Ms. Oliver: Perfect, do I have a second?

Mr. Alcaraz: Second.

Ms. Oliver: Yes Ron.

Ms. Ripley: Madam Chair, I need to disclose on item two and six, they've listed Town Bank as their lender or potential lender and there's no more I need to disclose that I'm a member of the Town Bank Advisory Board in Chesapeake and I have a letter on file, so it states that Town Bank is not the applicant nor has do I have any interest in any of these applications, Planning Commission recommendations or advisory and final decisions are made by city council so I'm disclosing that I hold that position, but I will be voting.

Ms. Oliver: Okay, great.

Mr. Redmond: Madam Chair.

Ms. Oliver: Yes sir.

Mr. Redmond: I will abstain, I will support the whole of the consent package however specifically I will abstain on item number six the application of RAW Enterprises Inc. I have ongoing business relationships with a number of folks who are involved in that project.

Ms. Oliver: Great. Yes, Commissioner Inman.

Mr. Inman: Likewise, as Mr. Ripley's case, I'm a member of the Advisory Board of Town Bank, Virginia Beach, and for the same reasons that Mr. Ripley stated, I will abstain. I will not abstain, but I'm disclosing my position.

Ms. Oliver: Okay, great.

Ms. Cartwright: Vote is open.

Ms. Sandloop: Okay, by recorded vote of 6-0 with the exception of agenda item number six, which would be 5-0 agenda items 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16 and 17 have been approved by consent.

Ms. Oliver: Right. Thank you. And I'd like to thank all the applicants who had a matter on the consent agenda today to attending today's hearing. These items are now going to be scheduled for hearing on the city council agenda and is there any other further business?

Mr. Tajan : No Madam Chair.

Ms. Oliver: Since there is no other further business on behalf of my fellow commissioners, I'd like to thank everyone for attending today and the planning director for his staff and all their hard work in preparing today's agenda. Thank you, meeting is adjourned.

	AYE 6	NAY 0	ABS 0	ABSENT 5
ALCARAZ	AYE			
BARNES				ABSENT
GRAHAM				ABSENT
HORSLEY				ABSENT
INMAN	AYE			
OLIVER	AYE			
REDMOND	AYE			
RIPLEY	AYE			
RUCINSKI				ABSENT
WALL				ABSENT
WEINER	AYE			

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2. This Conditional Use Permit shall expire five (5) years from the date of approval. The renewal process may be administrative and performed by the Planning Department; however, the Planning Department shall notify the City Council in writing prior to the renewal of any conditional use permit for a Short-Term Rental, where the short-term rental has been the subject of neighborhood complaints, violations of its conditions or violations of any building, housing, zoning, fire or other similar codes.
3. No events with more than fifty (50) people present, shall be held absent a special events permit. Events with more than fifty (50) people are limited to no more than three (3) events in a calendar year. No more than one hundred (100) people shall be present at any event held on the property.
4. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator or an agent of the owner or operator, who is available to be contacted and to address conditions occurring at the short term rental within thirty (30) minutes. Physical response to the site of the short term rental is not required.
5. If the ownership of the property changes, it is the seller’s responsibility to notify the new property owner of requirements “a” through “c” below. This information must be submitted to the Department of Planning and Community Development for review. Notification shall be done within six (6) months of the property real estate transaction closing date.
 - a) A completed Department of Planning and Community Development Short-Term Rental registration form;
 - b) Copies of the Commissioner of Revenue’s office receipt of registration; and

- c) Proof of liability insurance applicable to the rental activity of at least one-million dollars.
6. To the extent permitted by state law, each Short-Term Rental must maintain registration with the Commissioner of Revenue's office and pay all applicable taxes.
 7. There shall be posted in a conspicuous place within the dwelling a summary provided by the Zoning Administrator of City Code Sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach), 12-43.2 (fireworks), and a copy of any approved parking plan.
 8. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code sections 31-26, 31-27 and 31-28.
 9. A short term rental shall have no more than two (2) rental contracts during any consecutive seven (7) day period.
 10. The owner or operator shall provide proof of liability insurance applicable to the rental activity at registration and renewal of at least one million dollars (\$1,000,000.00) underwritten by insurers acceptable to the City.
 11. There shall be no outdoor amplified sound after 10:00 p.m. or before 10:00 a.m.
 12. The maximum number of persons on the property after 11:00 p.m. and before 7:00 a.m. ("Overnight Lodgers") shall be nine (9) individuals (three (3) individuals per bedroom).
 13. To the extent permissible under state law, interconnected smoke detectors (which may be wireless), a fire extinguisher and, where natural gas or propane is present, carbon monoxide detectors shall be installed in each short term rental.
 14. The required parking must be installed as per the approved drawings within 30 days after the approval of the conditional use permit and shall be constructed of a durable pervious material similar to pervious or grass pavers as approved by the Zoning Administrator.
 15. The existing shed located at the rear of the property shall be removed, or moved to meet setback requirements.

Item #17
C and C Development Company
Conditional Use Permit (Short Term Rental)
403 25th Street
District – Beach

December 5, 2019

RECOMMENDED FOR APPROVAL - CONSENT

Mr. Weiner: Thank you. Madam Chair, the next items fall under the short term rental consent agenda. The Planning Commission places the following applications for conditional use permit for the short term rental of the consent agenda. As these items meet the applicable requirements of sections 241.2 of the zoning ordinance, Staff and Planning Commission supports the applications and there's no known oppositions to these request for items number 9, 11, 12, 13, 14, 15, 16 and 17. Accept.

Ms. Oliver: Welcome, Mr. Bourdon.

Mr. Bourdon: Yes, just for the record, I represent all of the applications that Mr. Weiner just read. My clients are here along with a number of other people who live in the vicinity, I have provided the commission's clerk with a copy of petition and support from folks who live in the immediate block, blocks of these properties are located in for the record, all of the conditions as recommended by staff are acceptable in each and every one of these cases. And as I may have mentioned to two of you, after the informal broke up, they have no intention of allowing any of these units to be occupied by more than 15 or 20 people for any kind of event. So, I understand why that condition is in there, but I don't want anyone to have and I know you all don't but even the public at large to believe that this applicant is going to allow or expect 50 people to be and some of that at one of these houses .So I understand why they are not complaining about it, but just want to set the record straight. Okay, thank you.

Mr. Weiner: Thank you.

Ms. Oliver: Thank you.

Ms. Sandloop: Madam Chair, we did have one speaker come in, Nancy Parker. She has questions apparently about items 9, 11, 12 and 13.

Ms. Oliver: Yes, come on up, Mrs. Parker, 9, 10, 11, and 13.

Ms. Sandloop: 9, 11, 12 and 13.

Ms. Oliver: Okay.

Ms. Parker: Madam Chairman, members of the Planning Commission. I appreciate the job y'all are doing back over how many years ago I sat in your same seat and it's that planning soul that made me come down here and have to speak today. I'm not speaking so much against the idea of short term rentals, but I would ask you as a cautionary note, to look at the numbers that are being put in a specific area. Because what happens is this whole Beach area District, as you well know, has gone through some dramatic changes since the 1980s. And there've been some people that came well before May, who took a lot of time and energy including Lynnward Branch, Marian Nixon, Bobby Yates, Barbara Clarke that saw a real transition of this area and the stabilization of this into strong neighborhoods, and even in your comprehensive land use plan as well as the race that plan and the one is undergoing revision right now, which Mr. Inman was saying yesterday, talks about the stability of these neighborhoods. And if you're not careful, the question becomes what becomes the tipping point? What begins to change a neighborhood from having that strong fabric of people who live there on a year round basis, who put their heart and soul who raised their kids there, and then it becomes something else inadvertently, its unintended consequences. The other aspect I wonder is how many people and this is a bigger broader picture for short term rentals. Because we know we have this Something In The Water. How many people have to come and get a conditional use permit for a single use basically for the short term, Something In The World which is a one week but it puts something very different, puts a different tag on that house and in that neighborhood, and even in the federal government guidelines, if I recall correctly, you can rent your house out for two weeks and still consider it your main home, you don't have to pay any kind of taxes on it. So, again, think long term, think implications, because this is the big starting point, really for our neighborhood, as well as a lot of other neighborhoods that live near resort areas. So again, cautionary flag, think long term, think the impact on this particular area, what are you going to do? And how does that emanate to the rest of the Beach District, as we've worked long and hard to get it to where it is today, and it's a strong, family centric area. Thank you very much for your time.

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 14. The required parking must be installed as per the approved drawings prior to occupancy and operation as a Short-Term Rental. An acceptable site plan shall be submitted to the Development Services Center (DSC) and Zoning Administration of the Planning Department for review of stormwater management and maximum allowable impervious cover review relating to any additional parking area added to the lot beyond what was depicted on the site plan approved in 2017, or any other requirements that arise as a result of the parking space configuration. Any improvements related to the stormwater management shall be installed and inspected and accepted by the Permits & Inspections Division of the Planning Department prior to occupancy as a Short-Term Rental.