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 Large Conference Room of the STiR Office, Building 21, 2408 Courthouse Drive.

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

*PLEASE TURN OFF YOUR CELL PHONE WHILE IN THIS CHAMBER.*

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

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

THE FOLLOWING DESCRIBES THE ORDER OF BUSINESS FOR THE PUBLIC HEARING


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 PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.

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the commencement of the hearing, however, the applicant must request that the Planning Commission allow the item to be withdrawn.

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

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

   The consent agenda contains those items:

   a. that the Planning Commission believes are unopposed and

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

**Process for the Consent Agenda:**

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

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

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

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

* Deferral
** Withdrawal
**JANUARY 8, 2020**
**PLANNING COMMISSION AGENDA**

A. **COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION**

B. **BRIEFINGS**

Informal RASAP Brief – Kathy Warren, SGA Office
Board Member Training – Manny Sanchez, Granicus Product Training Specialist

<table>
<thead>
<tr>
<th>12:00 P.M. – PUBLIC HEARING</th>
</tr>
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<tbody>
<tr>
<td>1. <strong>APPROVAL (COUNCIL on February 18)</strong></td>
</tr>
<tr>
<td>Village Church [Applicant &amp; Owner]</td>
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<tr>
<td><strong>Modification of Conditions</strong> (Religious Use)</td>
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<tr>
<td>4013 Indian River Road</td>
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<tr>
<td>(GPINs 1474623633 &amp; 1474624663)</td>
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<tr>
<td>COUNCIL DISTRICT – PRINCESS ANNE</td>
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<td>Staff Planner – Jonathan Sanders</td>
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<tr>
<td>Village Church requests to build a ramp onto their mobile unit behind the church. As their five years have expired on their 2011 Conditional Use Permit to permit the mobile unit, a Modification of Conditions is requested.</td>
</tr>
</tbody>
</table>

| 2. **APPROVAL (COUNCIL on February 18)** |
| Red Head Realty [Applicant & Owner] |
| **Conditional Use Permit** (Noncommercial Marina) |
| (GPIN 2410716099) |
| COUNCIL DISTRICT – PRINCESS ANNE |
| Staff Planner – Whitney McNamara |
| The applicant is requesting to replace the existing boat house with a new boat house in the same footprint. |

* Deferral  
** Withdrawal
3. APPROVAL (COUNCIL on February 18)
Bishard Family Real Estate, LLC [Applicant & Owner]

**Subdivision Variance** (Section 4.1(j) of the Subdivision Regulations)

Northeast corner of Gatewood Avenue & Paris Street

(GPIN 2407017508)

COUNCIL DISTRICT – BEACH
Staff Planner – Aubrey Trebilcock

The applicant is requesting a Subdivision Variance to the requirement for property line rounding at the intersection of Gatewood Avenue and Paris Street which would allow for the creation of three residential lots.

4. APPROVAL (COUNCIL on February 18)
Franklin Johnston Group Management & Development, LLC [Applicant]
Security Storage & Van Company of Norfolk, Virginia, Inc. [Owner]

**Conditional Rezoning** (I-1 Light Industrial District to Conditional A-36 Apartment District)

4545 South Boulevard

(GPIN 1477517149)

COUNCIL DISTRICT – ROSE HALL
Staff Planner – Hoa Dao

The applicant is requesting to rezone the 4.9 acre parcel from I-1 to A-36 for the construction of five, 5-story multi-family buildings to allow up to 160 apartment units.
5. **APPROVAL (COUNCIL on February 4)**
Town Center Associates 12, LLC [Applicant & Owner]

**Conditional Use Permit** (Indoor Recreation Facility)

4621 Columbus Street

(GPIN 1477447126)

COUNCIL DISTRICT – LYNNHAVEN

Staff Planner – Ashby Moss & Jenizza Badua

The applicant is requesting a Conditional Use Permit for an Indoor Recreation Facility. The proposal includes a variety of entertainment, recreation and interactive sports facilities and dining areas.

6. **APPROVAL (COUNCIL on February 18)**
Ferguson Wedding Company, LLC [Applicant]
Long Bay Point Partners, LLC [Owner]

**Conditional Use Permit** (Assembly Use)

2105 W. Great Neck Road

(GPIN 1499382174)

COUNCIL DISTRICT – LYNNHAVEN

Staff Planner – Marchelle Coleman

The applicant is proposing to operate a banquet hall for special events to include weddings, company trainings, birthday parties, etc. within a 3,000 square foot unit in one of the existing buildings on the site, known as The Gala 417. All events will end by midnight.
7. **APPROVAL (COUNCIL on February 18)**  
James P. Wootten [Applicant & Owner]  

**Modification of Conditions**  
1732 Lovetts Pond  
(GPIN 14997671071520)  

COUNCIL DISTRICT – LYNNHAVEN  
Staff Planner – Whitney McNamara  

The applicant is requesting to install a new finger pier, construct additions to the existing piers, install new boat lifts, and move the existing floating pier.

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8. **APPROVAL (COUNCIL on February 18)**  
7-Eleven, Inc. [Applicant & Owner]  

**Conditional Use Permit** (Automobile Service Station)  
2205 Princess Anne Road  
(GPIN 2404956764)  

COUNCIL DISTRICT – PRINCESS ANNE  
Staff Planner – Bill Landfair  

The applicant is seeking a conditional use permit to permit the reconstruction of an existing convenience store with fuel sales.

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9. **WITHDRAWN**  
Barnes & Noble [Applicant]  
Columbus Town Center, LLC [Owner]  

**Alternative Compliance**  
4485 Virginia Beach Boulevard  
(GPIN 1477644979)  

COUNCIL DISTRICT – LYNNHAVEN  
Staff Planner – Ashby Moss  

The applicant requests a 176 square foot sign instead of the 75 square foot “building crown” sign permitted in the Central Business Core (CBC) zoning district.

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* Deferral  
** Withdrawal
10. **APPROVAL (COUNCIL on January 21)**  
City of Virginia Beach – An ordinance to amend sections 233.1, 901, and 2003 pertaining to eating and drinking establishments in the B4-K Historic Kempsville zoning district.

11. **APPROVAL (COUNCIL on February 4)**  
City of Virginia Beach – An ordinance to amend section 111 of the City Zoning Ordinance pertaining to definitions and add section 209.7 pertaining to student worker housing.

## SHORT TERM RENTALS

12. **APPROVAL (COUNCIL on February 4)**  
Kelly M. Allen [Applicant & Owner]  
**Conditional Use Permit** (Short Term Rental)  
4215 Macarthur Road  
(GPIN 1475974810)  
COUNCIL DISTRICT – ROSE HALL  
Staff Planner – Marchelle Coleman  

The applicant is requesting a Conditional Use Permit for a Short Term Rental in a townhouse that contains 2 bedrooms.

13. **APPROVAL (COUNCIL on February 4)**  
John Bradley Gribble [Applicant & Owner]  
**Conditional Use Permit** (Short Term Rental)  
512 9th Street  
(GPIN 2427049021)  
COUNCIL DISTRICT – BEACH  
Staff Planner – Kevin Hershberger  

The applicant is requesting a Conditional Use Permit for a three-bedroom Short Term Rental.
14. **APPROVAL (COUNCIL on February 4)**
Zackary Nelson [Applicant & Owner]

**Conditional Use Permit** (Short Term Rental)

2916 Dante Place

(GPIN 1496422204)

COUNCIL DISTRICT – ROSE HALL
Staff Planner – Will Miller

The applicant is requesting a Conditional Use Permit for a four-bedroom Short Term Rental.

15. **APPROVAL (COUNCIL on February 4)**
Willyne E. Simmons [Applicant & Owner]

**Conditional Use Permit** (Short Term Rental)

1804 Baltic Avenue, Unit B

(GPIN 2427072282)

COUNCIL DISTRICT – BEACH
Staff Planner – Will Miller

The applicant is requesting a Conditional Use Permit for a three-bedroom Short Term Rental.

16. **APPROVAL (COUNCIL on February 4)**
Souad Belmadani [Applicant & Owner]

**Conditional Use Permit** (Short Term Rental)

1804 Baltic Avenue, Unit C

(GPIN 2427072283)

COUNCIL DISTRICT – BEACH
Staff Planner – Will Miller

The applicant is requesting a Conditional Use Permit for a three-bedroom Short Term Rental.

* Deferral
** Withdrawal
<table>
<thead>
<tr>
<th></th>
<th>APPROVAL (COUNCIL on February 4)</th>
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<tbody>
<tr>
<td>17.</td>
<td>Elizabeth Anne Gregory [Applicant &amp; Owner]</td>
<td>Conditional Use Permit (Short Term Rental)</td>
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<tr>
<td></td>
<td>635 South Atlantic Avenue</td>
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<td></td>
<td>(GPIN  2426396228)</td>
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<td>COUNCIL DISTRICT – BEACH</td>
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<td>Staff Planner – Kevin Hershberger</td>
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<td></td>
<td>The applicant is requesting a Conditional Use Permit for a five-bedroom Short Term Rental.</td>
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<td>18.</td>
<td>Troy Perry &amp; Leslie Spasser [Applicant &amp; Owner]</td>
<td>Conditional Use Permit (Short Term Rental)</td>
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<tr>
<td></td>
<td>396 58th Street</td>
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<td></td>
<td>(GPIN  24197007970396)</td>
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<td>COUNCIL DISTRICT – LYNNHAVEN</td>
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<td>Staff Planner – Kevin Hershberger</td>
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<td></td>
<td>The applicant is requesting a Conditional Use Permit for a four-bedroom Short Term Rental.</td>
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<tr>
<td>19.</td>
<td>Coastal Accommodations, LLC [Applicant]</td>
<td>Conditional Use Permit (Short Term Rental)</td>
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<td></td>
<td>Christopher Holbert [Owner]</td>
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<tr>
<td></td>
<td>636 16th Street</td>
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<td></td>
<td>(GPIN  2417965182)</td>
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</tbody>
</table>
20. **APPROVAL**
Tara Ryan [Applicant & Owner]

**Conditional Use Permit** (Short Term Rental)

933 Pacific Avenue, Unit B
(GPIN 24272444111205)

COUNCIL DISTRICT – BEACH  
Staff Planner – Kevin Hershberger

The applicant is requesting a Conditional Use Permit for a two-bedroom Short Term Rental.

21. **APPROVAL (COUNCIL on February 4)**
Michael Matthews [Applicant & Owner]

**Conditional Use Permit** (Short Term Rental)

425 Lakewood Circle
(GPIN 2427059785)

COUNCIL DISTRICT – BEACH  
Staff Planner – Hoa Dao

The applicant is requesting to operate a 2-bedroom Short Term Rental on a 6,342 square feet parcel. Four parking spaces are provided for the tenants.

22. **APPROVAL (COUNCIL on February 4)**
Lawrence W. Kliewer & Bruce E. Pensyl [Applicant]  
Oceanfront Escape, LLC [Owner]

**Conditional Use Permit** (Short Term Rental)

4005 Atlantic Avenue, Unit 203
(GPIN 24280514483950)

COUNCIL DISTRICT – BEACH  
Staff Planner – Will Miller

The applicant is requesting a Conditional Use Permit for a one-bedroom Short Term Rental.

* Deferral  
** Withdrawal
<table>
<thead>
<tr>
<th>23. APPROVAL (COUNCIL on February 4)</th>
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<tbody>
<tr>
<td>Linda Urgo [Applicant &amp; Owner]</td>
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<tr>
<td><strong>Conditional Use Permit</strong> (Short Term Rental)</td>
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<tr>
<td>4005 Atlantic Avenue, Unit 107</td>
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<tr>
<td>(GPIN 24280514483810)</td>
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<td>Staff Planner – Will Miller</td>
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<th>24. APPROVAL (COUNCIL on February 4)</th>
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<tr>
<td>Robert L. Stephenson, Jr. [Applicant]</td>
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<tr>
<td>Ryan Dunlap [Owner]</td>
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<tr>
<td><strong>Conditional Use Permit</strong> (Short Term Rental)</td>
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<tr>
<td>940 Indian Circle</td>
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<tr>
<td>(GPIN 2417835489)</td>
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<tr>
<td>COUNCIL DISTRICT – BEACH</td>
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<tr>
<td>Staff Planner – Hoa Dao</td>
</tr>
<tr>
<td>The applicant is requesting to operate a 2-bedroom Short Term Rental in the 1,120 square foot attached townhouse. Two parking spaces are provided for the tenants.</td>
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<tr>
<td>Robert L. Stephenson, Jr. [Applicant &amp; Owner]</td>
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<td><strong>Conditional Use Permit</strong> (Short Term Rental)</td>
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<tr>
<td>956 Indian Circle</td>
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<tr>
<td>(GPIN 2417834538)</td>
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</tr>
</tbody>
</table>

* Deferral
** Withdrawal
26. **APPROVAL (COUNCIL on February 4)**
Carlin Creative Concepts, LLC [Applicant]
Oliver J. Carlin [Owner]

**Conditional Use Permit** (Short Term Rental)

947 Fern Ridge Road
(GPIN 1496025133)

COUNCIL DISTRICT – ROSE HALL
Staff Planner – Marchelle Coleman

The applicant is requesting a Conditional Use Permit for a Short Term Rental in a semidetached dwelling that contains 2 bedrooms.

27. **APPROVAL (COUNCIL on February 4)**
CEBT Properties, LLC [Applicant]
VB Homes Design Build, LLC [Owner]

**Conditional Use Permit** (Short term Rental)

400A 27th Street
(GPIN 2428000498)

COUNCIL DISTRICT – BEACH
Staff Planner - Will Miller

The applicant is requesting a Conditional Use Permit for a Short Term Rental in a single-family dwelling that contains 3-bedrooms.