

## **September 13, 2023 Planning Commission Hearing**

Mr. Alcaraz: September 13 Planning Commission public hearing. My name is George Alcaraz. I'm the chairman of the Virginia Beach Planning Commission. Today, we have Mr. Plumlee who's absent and I'd also like to welcome our commissioner, our new commissioner of District 8, what 7, 7. Ms. Hippen. So, at this time, if I could have Mr. Coston to say the prayer and Mr. Horsley say the pledge. Please stand.

Mr. Coston: Eternal God, our Father, we thank you for this day. We thank you God, for the many blessings that you have bestowed upon us. We praise you, God, even for this wonderful city in which we live. Now, God, as we come to discuss business, God, we pray that you would give us your direction and your leading that we might make the best decisions in each instance, in Jesus name, we pray Amen.

Mr. Horsley: Please join me in the pledge. [Group Pledge] "I pledge allegiance, to the flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

Mr. Alcaraz: All right, thank you. Now, if I could, starting with our legal, if we could just introduce ourselves and we'll go down the line and end up with the staff with Caitlyn introducing them. Ms. Wilson?

Ms. Wilson: Okay. My name is Kay Wilson and I am the Deputy City Attorney for land use and I represent the Commission.

Mr. Anderson: Afternoon. My name is Mike Anderson. I represent District three in Kempsville area.

Mr. Coston: My name is John Coston and I represent District nine.

Mr. Clemons: Good afternoon. I'm Michael Clemons and I represent District two.

Mr. Horsley: I'm Don Horsley. I represent At-large.

Mr. Alcaraz: George Alcaraz again, I represent District five.

Ms. Cuellar: My name is Holly Cuellar, and I represent District eight.

Ms. Hippen: My name is Susan Hippen, and I represent District seven.

Ms. Byler: Hi, I'm Kathryn Byler, District four, which is Town Center area.

Ms. Estaris: Good afternoon, I am Naomi Estaris, District one, and I reside in Kempsville.

Mr. Parks: Good afternoon, William Parks, I represent District 10.

Ms. Alcock: Caitlyn Alcock, Planning Administrator for the Planning Department. Clerking to my left, we have Madison Eichholz and Claudia Wodziak. Out in the audience, we have Planning Director Kathy Warren, Deputy Director Carrie Bookholt with our Planning Administration team; we have Hoa Dao, Marchelle Coleman, Michaela McKinney, and Elizabeth Nowak. We have our Interim Zoning Administrator Brandon Hackney and Pam Witham with our zoning team and then with our IT support, we have Monica Sherwood and Tiffany Gardner Smith.

Mr. Alcaraz: All right. Thank you for that everybody. Now, if I could ask the clerk to go ahead and describe the rules, the order of business today.

Madam Clerk: Thank you, Mr Chairman. The Virginia Beach Planning Commission takes pride in being fair and courteous to all parties in 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. As a courtesy to all in attendance, we request that if you have a cell phone, to please silence it for the duration of this public meeting. The following is an abbreviated explanation of the rules. The complete set of rules is located in the front of the Planning Commission agenda. The order of business for this public hearing, 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. The consent agenda, the second order of business is the consideration of the consent agenda, which are those items that the Planning Commission believe are unopposed and which have favorable staff recommendation. The regular agenda, the Commission will then proceed with the remaining items on the agenda. Today, we will have both in person speakers and speakers participating via WebEx. When an agenda item has been called, we will recognize the applicant or their

representative first, following the applicant or their representative. In person speakers will be called next, and then the speakers participating via WebEx. Speakers in support or opposition of an item will only have three minutes to speak unless they're solely representing a large group, such as a Civic League or Homeowners Association, in which case they will have 10 minutes. For WebEx speakers, once your name is called, please pause 2 to 3 seconds to begin to ensure the commissioners hear your complete remarks. If a speaker does not respond or if a technical issue occurs, which renders the comments unintelligible, we will move on to the next speaker or the next order of business. Please note that the actions taken today by the Planning Commission 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.

Mr. Alcaraz: Thank you madam Clerk. The next order of business is the consideration for formality with withdrawals or deferrals. Are there any withdrawals? There are none. Are there any deferrals? There are none. Okay. Thank you. At this time, I'll pass it to the Vice Chair; he'll go through the consent agenda.

Mr. Horsley: Okay. Consent agenda starts with item number one, The City of Virginia Beach, a resolution to adopt and incorporate into the Virginia Beach comprehensive plan of 2016, the Virginia Beach Historic Preservation Plan of 2023, which will supersede the Historic Resources Management Plan of 1994. Mr. Reed, would you come forward? Is there any opposition to adopting this plan? Hearing none. Mr. Reed, would you briefly explain this program?

Mr. Reed: Yes, the item number one is to adopt a resolution to adopt and incorporate into the 2016 Comprehensive Plan. The 2023 Virginia Beach Historic Preservation Plan which will supersede the existing 1994 Historic Resources Management Plan. The Historic Preservation Plan will provide a roadmap or guidance to the planning staff and Historic Preservation Commission for its goals and objectives and actions relative to preserving the historic resources in Virginia Beach for, we hope, the coming 10 years.

**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 1**

**City of Virginia Beach**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Okay. Consent agenda starts with item number one, The City of Virginia Beach, a resolution to adopt and incorporate into the Virginia Beach comprehensive plan of 2016, the Virginia Beach Historic Preservation Plan of 2023, which will supersede the Historic Resources Management Plan of 1994. Mr. Reed, would you come forward? Is there any opposition to adopting this plan? Hearing none. Mr. Reed, would you briefly explain this program?

Mr. Reed: Yes, the item number one is to adopt a resolution to adopt and incorporate into the 2016 Comprehensive Plan. The 2023 Virginia Beach Historic Preservation Plan which will supersede the existing 1994 Historic Resources Management Plan. The Historic Preservation Plan will provide a roadmap or guidance to the planning staff and Historic Preservation Commission for its goals and objectives and actions relative to preserving the historic resources in Virginia Beach for, we hope, the coming 10 years.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT

**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 2 & 3**

**Commonwealth Brewing Company, LLC**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you sir. Next item on the consent agenda is item number two and three. We'll run those two together, Commonwealth Brewing Company, LLC, Commonwealth Brewing Company, LLC and the City of Virginia Beach.

Mr. Bourdon: Thank you, Mr. Horsley. Mr. Chairman, members of the commission, for the record, Eddie Bourdon, Virginia Beach Attorney, representing the applicants other than the City of Virginia Beach and with regard to the street closure, the six recommended conditions are acceptable to Commonwealth Brewing and with regard to the modification of conditions, the modified 10 conditions recommended by staff are acceptable. Mr. Jeremy Biggie, who is the owner of Commonwealth Brewing Company, is here in attendance this afternoon. We appreciate all the hard work by Hoa and staff on this and appreciate being on the consent agenda.

Mr. Horsley: Thank you, sir. Is there any opposition to this item? Thank you. I should have asked for that first. That's item number two and three. Items four and five, excuse me, Mr. Coston is going to read the items two and three.

Mr. Coston: The applicant has operated a Craft Brewery on property zoned B-2 Community Business District since 2015 and is seeking through these requests for a Street Closure and Modification of Conditions to expand their business to accommodate additional outdoor seating and parking spaces. The Street Closure request is for closure of the entire portion of Lake Drive located between Pleasure House Road and Northampton Boulevard. The area proposed for closure will be incorporated into the applicant's adjoining parcels and the city's pump station parcel. Modification of Conditions request is required for an after-the-fact expansion of the Craft Brewery, especially expansion to its outdoor seating areas and parking lots. This property is located within the Shore Drive Corridor Overlay District. The applicant appeared before the Bayfront Advisory Commission on June 15, 2023 to share details of the request. The BAC is supportive of the Street Closure, and the expanded outdoor seating. The city has also, the Council

Commission has also recommended approval, and therefore, we've placed it on the consent agenda.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT



**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 4 & 5**

**W.W. Realty Associates, LLC & Frank T. Williams**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you, Mr. Coston. Items number four and five is W. W. Realty Associates, LLC and Frank T. Williams, Modification of Conditions and subdivision variance. Is there any opposition to this? Mr. Bourdon, conditions acceptable?

Mr. Bourdon: Thank you, Mr. Horsley, again for the record Eddie Bourdon, Virginia Beach attorney representing Frank Williams and W. W. Realty. The two conditions recommended for the Modification of Conditions are acceptable, as are the four conditions recommended for the Subdivision Variance and again, appreciate Marchelle's hard work on this is kind of complicated in the weeds and appreciate being on the consent agenda. Thank you.

Mr. Horsley: Thank you. I've asked Commissioner Clemons if you'd read this into the record.

Mr. Clemons: Thank you Mr. Horsley. On January 9th, 2001, the City Council approved the conditional use permit for Alternative Rural Residential Development on property west of this site. As noted in the first condition of that approval, an easement covering the subject property will restrict the use of open space and agricultural uses, except for the 46 single family lots. About 400 acres of the applicant's farm was covered by this agricultural open space preservation easement. In 2013, the Subdivision Variance was granted to reconfigure the subject parcels and that configuration exists today. Now, the applicant seeks to modify the first condition of the 2001 conditional use permit approval to change the boundaries of this easement to reflect changes in the boundaries that were modified on the 2021 re-subdivision plan by way of a Subdivision Variance that was approved by City Council back in 2013. Now due to an oversight, the boundaries of the easement were not modified during the 2013 Subdivision Variance request. The applicant is also requesting a subdivision variance to re-subdivide the two existing adjoining parcels that are on the 2021 re-subdivision plan. They are now seeking to reconfigure the property lines to shift parcel C-1, which is depicted on the graphic to the south into adjust lot lines to remove a portion of the lot from parcel D as it currently encroaches onto the cultivated

field. Parcel C-1 will be redeveloped with a new single family dwelling for the applicant's granddaughter and family and C-1 will maintain the one acre lot area requirement, which meets all of the dimensional requirements in AG-2. Based on staff recommendations and our observation that there's no opposition to this request, we ask that this be placed on the consent agenda.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT

**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 6**

**Launch Creative Space, LLC**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you, Mr. Clemons. Next item is item number six, Launch Creative Space, LLC, Marina Shores Repair Corporation. It's the conditional use permit for assembly use. Is there any objection to this request? Hearing none, we have a representative here. Do you agree with the conditions?

Ms. Outerbridge: Yes.

Mr. Horsley: Okay. Thank you.

Ms. Outerbridge: Thank you for your time.

Mr. Horsley: Maybe you need to speak, ma'am, would you state your name for the record, please.

Ms. Outerbridge: I apologize. Bronte Outerbridge.

Mr. Horsley: Thank you.

Mr. Outerbridge: Thank you.

Mr. Horsley: Hearing no objections. We've asked Commissioner Cuellar, if she would read this into the record.

Mr. Cuellar: Thank you. The applicant is proposing to operate an event rental space with a 1500 square foot unit in the Marina Shore Shopping Center. The property is zoned B-2 Community Business and is within the Shore Drive Overlay District. Per the zoning ordinance, an event venue is classified as an assembly use, and as such, a conditional use permit is required. Staff is recommending this for approval. There is no opposition, and the commission has agreed to put it on the consent agenda.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC,

Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT



**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 7**

**Marina Shores Repair Corp**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you. Item number seven is Marina Shores Repair Corporation, conditional use permit for Bulk Storage Yard. Is there a representative here? Please state your name.

Mr. Malvin: Good morning, my name is John Malvin. I work for Marina Shores Repair Corp.

Mr. Horsley: Okay. You agreed to the conditions?

Mr. Malvin: Yes sir.

Mr. Horsley: Is there any opposition to this application? Thank you.

Mr. Malvin: Thank you.

Mr. Horsley: Hearing none, we'd ask Commissioner Cuellar if she would read this into the record.

Ms. Cuellar: Thank you. The applicant is requesting a conditional use permit for a Bulk Storage Yard to allow a tenant of the Marina Shores Shopping Center - Taylor's Do It Center to store certain regular and seasonal merchandise in the parking lot. Staff has recommended this for approval. There is no opposition to the permit and the Commission has recommended it for the consent agenda.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates.

Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT



**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 8**

**Red Church, Inc**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you. Next item is item number eight Red Church Inc and modification of a condition for religious use. Yes sir.

Mr. Vettori: Glen Vettori from Church Development Services representing Red Church. We thank the Commission. We also thank staff in particular Elizabeth Nowak, Jared Register, Heather Hurtle, and Ricky Cobb and we accept the six conditions by staff.

Mr. Horsley: Thank you. Is there any opposition to this application? Seeing none, we've asked Commissioner Anderson if he would read this into the record.

Mr. Anderson: Yes, thank you. The applicant is requesting a modification of conditions to construct a 15,750 square foot addition to the existing 16,800 square foot building at 245 South Rosemont Road. Currently, Red Church operates here, offering both religious services and a daycare program. The proposed addition will accommodate a new, larger sanctuary space for Red Church. Red Church also runs a daycare program out of the same building. The relocation of the sanctuary space will allow for additional space to be used as classrooms. Staff is recommending for approval and this agenda item has been recommended for consent.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT

**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 9**

**Christopher Gregory**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you. Next item number nine, Christopher Gregory, applicant of Princess Anne/Witchduck Associates 1, LC c/o Robinson Development Corporation Modification of Conditions. Is there a representative?

Mr. Gregory: Christopher Gregory, IDF Pensign.

Mr. Horsley: Thank you. Are the conditions acceptable?

Mr. Gregory: Yes sir.

Mr. Horsley: Thank you sir. Is there any opposition to this request? Hearing none, I'll ask Commissioner Anderson once again if he'd read this.

Mr. Anderson: Thank you. This applicant was initially heard on August 9th, Planning Commission hearing and was deferred in order for applicant to provide a new design proposal to include methods of light illumination, which was done and approved. The applicant is requesting a modification of conditions to a conditional use permit for eating and drinking establishment with drive through window in order to install new freestanding signs at the new Shoppes at Kemps Landing Shopping Center. This site is approximately 2.8 acres and is zoned B-4K Historic Kempsville Area Mixed Use. It is also in the Historic Kempsville Overlay District. Staff is recommending approval and this agenda has been recommended for consent.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item

number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT

**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 10**

**Emily McGraw**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you. Next item is item number 10, Emily McGraw, VB Regatta Center Associates LLC, conditional use permit for tattoo parlor. Thank you.

Ms. McGraw: Emily McGraw.

Mr. Horsley: You state your name.

Ms. McGraw: Emily McGraw.

Mr. Horsley: Are the conditions acceptable?

Ms. McGraw: Yes.

Mr. Horsley: Thank you. Is there any opposition to this application? Seeing none, thank you. I've asked Commissioner Cuellar if she would read this into the record.

Ms. Cuellar: The applicant is requesting a conditional use permit to operate a tattoo parlor, specifically for the application of permanent makeup, known as microblading within an existing salon at the Regatta Center Shopping Center. The shopping center is located along Virginia Beach Boulevard on property zone B-2 Community Business District. Staff is recommending this application for approval. There is no known opposition and the commission has agreed to put it on the consent agenda today.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item

number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT

**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 11**

**Bhatt Brothers, LLC**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you. Next item is item number 11, Bhatt Brothers LLC, Red Mill West LLC, conditional use permit for a tattoo parlor.

Mr. Bhatt: Thank you, Mr. Horsley, and thank you everyone. My name is Vaibhav Bhatt, and I'm the owner of the location opening my salon suite for 32 suites and applying for a conditional permit.

Mr. Horsley: Conditions acceptable?

Mr. Bhatt: Yes sir.

Mr. Horsley: Thank you sir.

Mr. Bhatt: Thank you.

Mr. Horsley: Any opposition? Seeing none, we've asked Mr. Parks if he would read this into the record.

Mr. Parks: Thank you. The applicant is requesting a conditional use permit to operate a tattoo parlor, specifically for the application of permanent makeup, known as microblading in the Red Mill Commons Shopping Center. Microblading will take place within the 32 separate suites within the building. Hours of operation will be between 9 a.m. and 9 p.m. There are no planned exterior changes or new signage for the building. There is no known opposition and with staff's recommendation that's why this has been placed on the consent agenda.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W. W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina

Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT



**Virginia Beach Planning Commission  
September 13, 2023, Public Meeting  
Agenda Item # 12**

**Ashley Guller**

**RECOMMENDED FOR APPROVAL- CONSENT**

Mr. Horsley: Thank you Mr. Parks. The last item on the consent agenda is item number 12, Ashley Guller, conditional use permit for short term rental. Is there a representative here?

Ms. Caitlyn: This applicant is via WebEx, Ashley Guller.

Ms. Guller: Can you hear me?

Mr. Horsley: Yes. Are the conditions acceptable?

Ms. Guller: Yes, they are.

Mr. Horsley: Would you state your name for the record, please?

Ms. Guller: Ashley Guller.

Mr. Horsley: Thank you. Is there any opposition to this request? Thank you, Ms. Guller. And hearing none, we've asked Commissioner Byler if she would read this into the record.

Ms. Byler: This application is for location at 901 Pacific Avenue, Unit B. The applicant is requesting to operate a one bedroom, 450 square foot short term rental within the Pacific Place Condominium building. Short term rentals are prevalent on this property. There have previously been 14 approved applications for conditional use permits. Staff is recommending approval with 19 conditions, all of which the applicant has agreed to. There is no known opposition, and this is appropriate to be added to the consent agenda.

Mr. Horsley: Thank you. That completes the consent agenda, and I would place into motion that we approve these following items. Number one, the City of Virginia Beach. Number two, Commonwealth Brewing Company LLC, Commonwealth Brewing Company LLC in the City of Virginia Beach. Item number three, Commonwealth Brewing LLC. Item number four and five, W.

W. Realty Associates LLC and Frank T. Williams. Item six Launch Creative Space, Marina Shores Repair Corporation. Item number seven Marina Shores Repair Corporation. Item number eight, Red Church, Inc. Item number nine Christopher Gregory, Princess Anne Witchduck Associates. Item number 10, Emily McGraw, VB Regatta Center Associates, LLC. Item number eleven Bhatt Brothers, LLC, Red Mill West, LLC and item number 12, Ashley Guller.

Mr. Alcaraz: All right, thank you, Vice Chair. At this time, by the Vice Chair, we have these items. You've made a motion, sir?

Mr. Horsley: Yes.

Mr. Alcaraz: I need a second.

Ms. Byler: Second.

Mr. Alcaraz: Second by Ms. Byler. Are there any commissioners abstaining from any of these items? All right, vote.

Madame Clerk: Mr. Horsley, can you make a motion on your iPad and Ms. Byler, second? The vote is now open. By a vote of 10 to zero items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 have been recommended for approval.

Mr. Alcaraz: Thank you for attending today's formal hearing and if you could get with the staff member that helped you, we could get you on the City Council agenda. Meeting adjourned.

	AYE 10	NAY 0	ABS 0	ABSENT 1
Alcaraz	AYE			
Anderson	AYE			
Byler	AYE			
Clemons	AYE			
Coston	AYE			
Cuellar	AYE			
Estaris	AYE			
Hippen	AYE			
Horsley	AYE			
Parks	AYE			
Plumlee				ABSENT