Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Intro & Minutes Approval

Discussion

Mr. Coston: Welcome to all. I would like to call to order the March 11th meeting of the Planning Commission public hearing. My name is John Coston and I'm the chair of the Virginia Beach Planning Commission. Commissioner Hippen will be participating online. She is not here today. Before we get started, I've asked Commissioner Mauch to lead us into the Pledge of Allegiance.

Mr. Mauch: 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. Coston: At this time, we will introduce the planning commissioners, beginning with our city attorney. Followed by Planning Administrator Ms. Kaitlyn Alcock, who will introduce members of staff.

Ms. Eisenberg: Tori Eisenberg, Deputy City Attorney.

Mr. Mauch: Michael Mauch, I have the pleasure of serving in public as the at-large Representative.

Mr. Camp: Walter Camp, representing District 1, Kempsville.

Mr. Cromwell: John Cromwell, District 2, Pungo and Blackwater.

Mr. Anderson: Good afternoon, Mike Anderson, District 3.

Ms. Byler: Good afternoon. Kathryn Byler, District 4, which includes vibrant Virginia Beach, Town Center, Burton Station, and all the way up to the Norfolk Line.

Mr. Coston: John Coston, representing District 9.

Ms. Cuellar: Holly Cuellar, District 8.

Ms. Schoonover: Katherine Schoonover, District 5.

Mr. Plumlee: Bryan Plumlee, representing beautiful District 6, from historic Seatack to the north end of Virginia Beach.

Ms. Moorjani: Neena Moorjani, District 10.

Ms. Alcock: Kaitlen Alcock, Planning Administrator. Clerking to my left, we have Breotnie Harrison and Grace Smith. In the audience, we have Planning Director Kathy Warren, Deputy Director Carrie Bookholt. With our planning administration team, we have Marchelle Coleman, Alexis Bailey, and Kristin Bauer. We have our Zoning Administrator, Hannah Sabo. Comprehensive Planning Administrator, Hank Morrison. Comprehensive Transportation Planner, Jamik Alexander.

Mr. Coston: Thank you very much. Madam Clerk, can you please describe the rules and order of business for today's meeting?

Clerk: Yes, Chair Coston. 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. Request that cell phones be put on silent during this meeting. 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 this public hearing.

Withdrawals and deferrals. The chairperson 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 are unopposed and which have favorable staff recommendation.

Regular agenda. The commission will then proceed with the remaining items on the agenda. When an agenda item has been called, we will recognize the applicant or the representative first. Following the applicant or the representative, in-person speakers will be called next, and then the speakers participating via WebEx. Speakers in support or opposition of an agenda item will have three minutes to speak per item, unless they are solely representing a large group, such as a civic league or homeowners association, in which case, they will have 10 minutes per item.

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 quarter of business. 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.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Mr. Coston: Thank you. Our next order of business is the consent agenda, and I'm going to turn that over to the vice chair to run that portion of the meeting.

Ms. Byler: Thank you, Chair Coston. Today, we have approval of minutes plus nine items on the consent agenda. These are applications that are recommended for approval by staff, and the Planning Commission concurred, and there are no speakers signed up in opposition. The first items for consideration today are several sets of planning commission minutes, and I've asked Commissioner Camp to read these into the record.

Mr. Camp: Thank you, Madam Vice Chair. This portion of the consent agenda consists of a motion to approve draft minutes as amended by the Commission for three Planning Commission meetings, specifically, the informal and formal hearings held on February 11, 2026, with all commissioners present, and the site visit held on March 5th, 2026, noting abstentions by Commissioners Hippen and Plumlee, who were not present. That completes this item.

Ms. Byler: Thank you for reading that into the record, Commissioner Camp.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Ms. Byler: Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So I have a second for the motion? It has been moved by Vice Chair, Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner, can you open your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the

date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee *As noted above, Commissioner Plumlee abstained from the March 5, 2026, site visit minutes.	X			
Hippen *As noted above, Commissioner Hippen abstained from the March 5, 2026, site visit minutes.	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

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Motion to Add the Remote Participation Policy

Discussion

Mr. Coston: Before we move to the agenda, we'd like to entertain a motion to adopt the Virginia Beach Planning Commission Remote Participation Policy.

Mr. Plumlee: Yes, Mr. Chairman, I have three motions for us to entertain as housekeeping matters. The first is a motion to amend our agenda to add to the agenda the remote participation policy renewal that we discussed at our informal. So the first motion is to simply add it to our agenda. So I will make a motion that it be added to our agenda.

Mr. Anderson: I second it.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Anderson to accept the Virginia Beach Planning Commission Remote Participation policy. Ready for the vote?

Clerk: The vote is open. One second. We're having technical difficulties. The vote is open. Commissioner Hippen, your vote, please.

Mr. Plumlee: I think she has to wait until we pass this on our own. So she'll not be able to vote. Removed yet.

Clerk: Okay. So, by a recorded vote of 10 to 0, the motion to add the remote participation policy to the agenda has been approved.

Vote Tally

Commission Member	AYE 10	NAY 0	ABS 0	ABSENT 1
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen				X
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

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Motion to Pass the Remote Participation Policy

Discussion

Mr. Plumlee: Then the second motion is to actually pass the remote participation policy to renew it for another year. And so, I make that motion.

Mr. Anderson: Second.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Anderson to accept this policy. We're ready for the vote.

Clerk: The vote is open. By a record of 10 to 0, the motion to adopt the commission's remote participation policy has been approved.

Vote Tally

Commission Member	AYE 10	NAY 0	ABS 0	ABSENT 1
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen				X
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

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Motion to Rearrange the Agenda

Discussion

Mr. Plumlee: So, I have one final housekeeping motion to make, and that is to reorder our agenda so that the current items one through four, which involve our comprehensive plan, are moved to the end of our proceeding. I believe now that Commissioner Hippen may vote on this item. So, I'll make that motion.

Ms. Eisenberg: She should be let into the meeting and let everyone know for the record why she's not attending.

Mr. Plumlee: Can you hear us, Susan?

Ms. Hippen: Yes, I can. Thank you. I have a cold and a cough and I didn't want to share my germs with anyone, but I am here, representing District 7 from the Centerville area.

Mr. Plumlee: Thank you very much. So we have a motion to change the agenda, as I've stated, moving items one through four to the end of our proceedings.

Mr. Anderson: Second.

Mr. Coston: Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote, please.

Ms. Hippen: I vote, yes.

Clerk: By a recorded vote of 11 to 0, the motion to rearrange the agenda has been approved.

Mr. Plumlee: Thank you.

Mr. Coston: Thank you, Madam Clerk.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

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Public Meeting Item #1 City of Virginia Beach
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Clerk: Our next items are items 1 and 2, Imagine VB 2040, City of Virginia Beach, Comprehensive Plan, Ordinance and Resolution, Item 3, City of Virginia Beach, and Item 4, City of Virginia Beach.

Mr. Morrison: Alright. Good afternoon. For the record, Hank Morrison, Comprehensive Planning Administrator. I am here to present four items, items 1, 2, 3, and 4 to adopt the new comprehensive plan and then make amendments to the zoning ordinance to make sure that they doesn't reference the former, the former comprehensive plan. So I'd like to start off by thanking the planning commission for all of the hard work and dedication you guys have provided for this project. It's been very helpful. I also would like to thank our staff. It's been very hardworking at this and also our consultant, Renaissance Planning. So I'll start off with saying this project is the culmination of thousands of survey responses, dozens of public meetings, and over 100 public input opportunities.

The staff final draft was presented to the public at two meetings in September of 2025, and public comment was accepted until October 30th. After the comment window closed, staff reviewed the 600-plus comments that were received and updated the plan accordingly. A workshop was held with the Planning Commission in January, where the commission finalized guidance for staff to make edits to the draft and move forward by putting it on the agenda.

So, staff and the consultant implemented the commission's comments and posted the draft on February 18th. The plan consists of seven chapters, providing guidance for the four different context areas in Virginia Beach, as well as design guidelines for place types throughout the city. The plan promotes infill and redevelopment as a practice, focusing on the eight SGAs, aging strip shopping centers, and along major transportation corridors north of the Green Line. This provides the opportunity for more attainable housing, reducing sprawl, and promoting responsible growth by utilizing existing infrastructure.

Single-family neighborhoods are protected with buffer requirements for new developments adjacent to existing neighborhoods, and the plan proposes to maintain the Green Line in its original location, marking the beginning of the transition from suburban to rural land uses in character, protecting the agricultural land south of the Blue Line. The Blue Line has historically been used by the Public Utilities Department to indicate where water and sewer infrastructure end and the use of wells and septic systems begin, and has been formally recognized in this plan to better

differentiate the Green Line context area and the rural context area. The plan increases mobility options for residents of Virginia Beach, including public transit.

However, transit is not a requirement of the system to function. Transit-oriented development only refers to the integration of transportation and land use to make areas more walkable and bikeable and accessible. So this can lead to reduced traffic congestion, reduced greenhouse gas and vehicle emissions, better public health outcomes, economic development, and increased land values and property tax revenue. So, as a part of this vote, a minor update to the MTP is included, the Master Transportation Plan. But it's being adopted with the understanding that staff will be returning to the planning commission in the future with a more fulsome update after the Hampton Roads Transportation Planning Organization wraps up their 2050 Long Range Transportation Plan. And that's expected to be adopted late spring.

So, this strategy was approved by VDOT and is also being used by several other municipalities in the region. So they're aware of it, and they're also okay with it. So, staff is recommending approval of the adoption of the comprehensive plan, and I am happy to stand by for any questions.

Mr. Plumlee: Hank, you've done a really good job. I appreciate all of your hard work. I really do. Thank you. We've been very easy on you and very patient. But I received from Chris from Renaissance, a breakout of the projected populations with regards to the various Pardon?

Clerk: I just wanted to make sure we're using the term capacities, not population.

Mr. Plumlee: Thank you. Right. It's not a current issue. It's a future capacity question for the centers. And I just wanted to make sure, has that document been circulated to everyone?

Mr. Morrison: No, sir, it has not. But it can be. I'd be happy to share.

Mr. Plumlee: I think it should be. I kind of assumed it was going to be. And so I hadn't thought to inquire about it because I think those capacities are important to understand. Now, I don't think it changed much of my thinking ultimately. But, for instance, I had marked, I'd gone back and marked each center and put the number next to it so I could visualize where the growth is projected to be with regards to capacity. It's not definite. These are ideas, and I understand that. There's reasonable variation of them.

But I saw that along Princess Anne, I was calculating somewhere around the capacity of around an additional 7,000 residents in that area, which I was kind of surprised to see. So we have been doing this a long time. I've always had an issue with the way the center locations were selected, because it wasn't in a manner that I felt that I had much in the way of participation. In other words, I didn't ever present in District 6, here's where I think a regional district should be, here's where I think a city center should be.

I didn't ever participate in it. It appeared, and then I said, well, how many people are you proposing we have capacity for? And it's not anyone in particular's fault, because there are so many questions to juggle in such a complex plan. But then the importance of it has struck me for weeks now, months, you know, that these numbers need to be understood. Because there's an impression then that we're putting forward, that we know the areas that we're selecting to take on the capacity that we see, the growth areas of this city. So I just from sharing that, you know, as an issue that I felt needed to be addressed, and that I've been raising for a while and not saving it to the last.

You know, I've tried to do that. However, I do want to add, while there is projection of about 79,000 future residents, because you want to build a buffer into this, or you, I'm saying, you, we, want to build a buffer into this. The University of Virginia is telling us we're looking at about 20,000 residents. Can you explain the necessity for building the buffer into that? Because I want everyone to understand the rationale for it, because I think it's important to understand.

Mr. Morrison: Yes, that's a great question. So the rationale was that while Virginia Beach is not going to expect a massive amount of growth over the next couple of decades, the region still is. And so by providing a land use, a future land use that would allow for future redevelopment and additional capacity, it would allow us to kind of take that growth and take advantage of that growth in Virginia Beach.

Mr. Plumlee: Thank you. And I wanted to follow-up because the Hampton Roads Realtors had provided us comments, very timely as we stepped up onto the dais. But I think a lot of their concerns have been touched upon in the plan. And with regards to the ADUs, you know, I had addressed this to you. I'm not sure if it was online or offline, but I felt like the language about ADUs had been softened somewhat throughout the plan. But there is an intent, essentially citywide, you know, except for some select areas, that there be permissive review of these ADUS. And that there's an encouragement in order for us to address the housing crisis that the city is in. Can you talk about that?

Mr. Morrison: Sure. So, well, let's, I guess I'll start off with saying that there are forms of ADUS that are already allowed and permitted in the zoning ordinance. This comprehensive plan just states that the use of ADUS is a good strategy to fill in for some of this, some, you know, affordable, more attainable styles of housing.

Mr. Plumlee: Okay, and the intent is that it be favorably viewed. These requests, they're encouraged, and I think that needs to be addressed and spoken of. Because, you know, housing attainment is one of the number one features, and I think that's one of the most important tools that we've been able to put into this. And so when the language was modified, I was a little concerned that we were de-emphasizing it. But I'd ask you offline, and I think that was not the intent, and I want to make sure of that.

Mr. Morrison: Correct. No, the intent is that ADUs, we view that as a positive thing. But we're going to have to look at that more in depth when the zoning ordinance update comes in, to see where ADUS are appropriate, where they're not appropriate, what kind of lot coverage requirements, architectural requirements. There's a lot of stuff that needs to happen before we say that go crazy, you can build ADUS anywhere you want.

Mr. Plumlee: Okay. Thank you very much.

Mr. Camp: Commissioner Camp. Thank you, Hank. I began this process sitting out there. I got appointed to be part of the planning commission during this project. I was at the initial focus groups as a private citizen. Now I here find myself about to push a button on this thing from the other side. So my perspective on this has evolved as my role has evolved. I want to thank you and everyone else on the commission, commissioners who are no longer on the commission, predecessors, staff members, elected officials, and the tremendous involvement of the community through each of the stages of this project. Like most people, I'm not entirely happy with the product, but I didn't set out expecting to be.

It is more than even a work of a committee. It is a work of many, many hands, voices, and views. I will say with regard to the Master Transportation Plan, and I want this in the record that goes forward, that it is more than just the traffic data that will be altered in that amendment that is coming, that a decision was made administratively to not proceed with certain changes to that plan that staff has acknowledged, or that myself and other members of the commission have brought forward, not to do them now even if they're not traffic capacity dependent. It's a plan that is sufficient to start, but not complete as a resource decision on where to put manpower.

That said, that means we're going to be working with that plan, let us say, for six months until it's back here for approval, in what I would refer to as a not fully complete status. That is, it meets the bare requirement that state law and VDOT has imposed on it, but it is not the full breadth of ideas and a full working document as we would intend it to be. Would you agree with that?

Mr. Morrison: Yes.

Mr. Camp: So I say that as a cautionary note, and our members of the bar have left, but I hope that they will play this back. If they want to cite to the revised Master Transportation Plan, I would hope they realize that plan has yet to fully evolve and meet its partner plan, the Comprehensive Plan, and that I will take exception to citations to the MTP in this interim period until it is fully complete. There are things in it that'll stand. There are things that'll be added. It's going to be a materially changed document, correct?

Mr. Morrison: Correct.

Mr. Camp: And I would hope that the staff would also look to that document and say, we're not going to stand fully on it, knowing that there are these other things pending out there, just as now, we have done, as this Comp plan has evolved. Is that how staff intends to look for that particular piece of the puzzle?

Mr. Morrison: Yes.

Mr. Camp: Thank you. I appreciate that. Among the ideas that were presented first, coming from the public, from the consultant, and carrying forward in each subsequent presentation to us and to council, were these big ideas. Among them was the important place that the Green Line holds in the eyes of the public. The Green Line has turned out to be a talking with just about everyone. And there are many views about that and how it should be embodied. But I am pleased that the plan that has been brought forward, in my opinion, has carried forward the initial spirit that was reported out along the way, the perspective that the public had on this as a valued mechanism for encouraging redevelopment in the northern part of the city.

Like some of the applications we saw today, that may not have been the desired place to invest capital if the Green Line were changed. We see a conversion of industrial sites to more valuable residential sites. This is what the market is showing us, and that's fine. The plan accommodates that. These ideas in the plan, as it stands today, I think, are ready to go from the people forward. If this plan is altered, I think it becomes a question, is it still true to the initial ideas that the people put into it? And for that reason, such alteration should have the benefit of public comment, that it should not be done in a manner that the public is unaware of what is back on the table to be discussed again. So thank you very much.

Mr. Coston: Any more discussion motions?

Clerk: Excuse me, chair. We have speakers.

Mr. Coston: Okay.

Clerk: Our first speaker is Phil Kazmirczak, followed by Lisa Murphy.

Mr. Kazmirczak: I'm Phil Kazmirczak. I am the president of the Hampton Roads Realtors Association. Our organization represents thousands of real estate professionals across the region, including realtors, property managers, brokers, housing providers, and others who work every day to help people find homes and invest in our communities. I appreciate the opportunity to speak to you today regarding the comprehensive plan and the role that housing policy, property rights, and responsible development play in the future of Virginia Beach. First and foremost, I want to be clear. Realtors strongly support thoughtful planning.

Long-range planning is essential to the health of any city, and the Virginia Beach Comprehensive Plan plays an important role in guiding how Virginia Beach grows and evolves over time. In reviewing the comprehensive plan, we see a great deal of alignment between its goals and the policy positions that the Hampton Roads Realtors Association has adopted over the years. One of the most important areas of alignment is housing attainability, which I know we spoke about briefly earlier. Home ownership has long been considered the foundation of the American dream.

We know that owning a home gives people a stake in their community. It allows families to build stability and generational wealth. It strengthens neighborhoods and helps create a sense of pride and investment that makes communities thrive. But unfortunately, housing attainability has become one of the most pressing challenges facing communities across the country, including here in Virginia Beach, where the median home price is now around $400,000. With an FHA loan and a 6% interest rate, which is what we're seeing today, that's about $3,000 a month, including taxes and insurance. A rule of thumb is that housing should be no more than 28% of your gross income. That means to be able to comfortably afford the median home in Virginia Beach, the household income needs to be about $125,000 a year.

But we know the median household income in Virginia Beach is about $90,000. At $90,000, a household can comfortably afford a $300,000 home, $100,000 less than the median price here in Virginia Beach. That means that many essential members of our workforce, teachers, police, firefighters, nurses, military families, young professionals, are finding it increasingly difficult to afford housing near where they work. Rise in construction costs, land constraints, and regulatory barriers have all contributed to this problem. The comprehensive plan acknowledges these challenges and calls for a wider variety of housing options to meet the needs of a growing and changing population.

This aligns directly with HRRA's policy commitment to promoting housing diversity and attainable housing options. We believe communities function best when housing opportunities exist for people at all stages in life and across a wide range of income levels. When housing supply is constrained, prices rise, and families are forced to move farther away from employment centers to find attainable housing. That creates a ripple effect across the entire region. Longer commutes, increased traffic congestion, we just talked about that, an infrastructure strain. Families spend less time together, workers spend more time on the road, and businesses struggle to recruit and retain employees.

That's why HRRA supports smart growth principles that encourage a diverse housing stock, mixed-use communities, and thoughtful development patterns that place housing closer to jobs and services, much like we talked about the Cleveland Street project earlier today. These are not new ideas. There are principles that appear throughout modern planning frameworks, including the Comprehensive Plan. Another area where our positions align closely with the goals of the

comprehensive plan is environmental stewardship. The realtor community supports reasonable environmental stewardship.

We believe protecting wetlands, managing stormwater, and addressing flood mitigation are essential priorities for coastal communities like ours. At the same time, we believe environmental protection and housing availability can and should coexist. Smart growth strategies, such as encouraging development in appropriate areas and making efficient use of existing infrastructure, can reduce sprawl and help protect sensitive environmental areas. Responsible planning can allow communities to grow while preserving the natural resources that make this region so special. Transportation and infrastructure are also central themes in both the comprehensive plan and HRRA policy priorities.

A balanced transportation system that effectively moves people and goods is critical to the economic viability of the region. Housing patterns and transportation patterns are deeply interconnected. When workers must travel long distances to reach employment centers, traffic congestion increases and quality of life declines. That is why HRRA supports dedicated, long-term funding mechanisms for transportation infrastructure and encourages regional collaboration on transportation planning. Housing and transportation cannot be planned in isolation. They must be considered together.

Another area where we see strong alignment between HRRA policies and the broader goals of the comprehensive plan is housing diversity through tools like ADUs, which we just discussed. ADUS provide flexible housing options within established neighborhoods. They allow seniors to age in place near their families. They provide housing opportunities for young adults just entering the workforce. They allow homeowners to make better use of their existing property. Because ADUS utilize existing infrastructure and land that is already developed, they often represent one of the least disruptive ways to gently increase housing availability within the community.

Encouraging a wider range of housing options, including ADUs, mixed-use developments, and mixed-income housing, is one of the ways communities across the country are addressing housing attainability while preserving neighborhood character. Finally, I would like to address the topic that has generated significant discussion in many communities, and I know we talked about it briefly earlier as well, and that's short-term rentals. Short-term rentals have grown significantly in recent years as online platforms have made it easier for homeowners to rent their homes or portion of their homes for periods of less than 30 days.

HRRA recognizes that short-term rentals present both opportunities and challenges, especially at the Planning Commission level. On one hand, they provide homeowners with flexibility in how they use their property. They also support the visitor economy that is so important to Virginia Beach. On the other hand, local governments have legitimate interests in addressing health, safety, and nuisance concerns that can arise when residential properties are used for short-term lodging.

Our position is that regulatory framework should seek a balanced and even-handed approach across the entire community.

We believe short-term rentals should be by right use, subject to reasonable policies that address legitimate health, safety and welfare concerns in the least restrictive manner possible. Clear standards, such as registration requirements, occupancy limits, parking rules, and local contact requirements, can address community concerns while still respecting property rights. It's a good compromise. Predictable rules are important.

When property owners understand what is permitted and what standards apply, compliance improves and enforcement becomes more effective. Ultimately, the goal should be to create policies that protect neighborhood quality of life while preserving reasonable flexibility for homeowners. Throughout these discussions, it's important to remember that homeowners, renters, visitors, and businesses are all part of the same community. Policies that balance these interests thoughtfully will produce better outcomes than policies that attempt to address complex issues with overly restrictive measures.

The realtor community wants to be a partner in these conversations. Our members work on the front lines of the housing market. We see firsthand how planning decisions affect housing supply, affordability, neighborhood stability, and economic growth. We believe the goals of the comprehensive plan, protecting neighborhoods, supporting economic viability, preserving environmental resources, and ensuring housing opportunities, are goals that we all share. The challenge before all of us is determining how best to implement these goals in ways that support the long-term health and prosperity of Virginia Beach.

The Hampton Roads Realtors Association stands ready to collaborate with city leaders, planners, neighborhood groups, and other stakeholders to help achieve that vision. Thank you for your time, for your thoughtful consideration of these issues, and for your service to the residents of Virginia Beach.

Mr. Coston: Are there any questions? Any questions?

Clerk: Our final speaker is Lisa Murphy.

Ms. Murphy: Good afternoon, Chair, Vice Chair, members of the Planning Commission. For the record, my name is Lisa Murphy. I am a resident of the city, and I'm also the chair of the Virginia Beach Development Authority. And I'm really here in those capacities and not in my capacity as a private attorney. I will say I tremendously appreciate all the times I've been put on the consent agenda, because you don't understand how long it is to be here. And all the work that you all do and the hours and hours of time that you spend. So I appreciate that.

And I appreciate all the work that staff has put into the comprehensive plan and all the work and effort that you all have done. And had I not been here for another matter, I might not have decided to stick around. But I did want to share with you some thoughts on the comprehensive plan. As I often tell my son, words matter. The phraseology that's used to refer to certain areas of the city is important, and it affects public perceptions. There's a tremendous amount of confusion regarding the terms Green Line and Blue Line. And I think Commissioner Camp and I may disagree. But I think there's a lot of misunderstanding out in the community about what exactly the Green Line is, where the Green Line is, what it means.

Where we sit today is south of the Green Line. Most of the development, the sports complex, the soccer fields, the retail up in that area is all development south of the Green Line. So there's already development south of the Green Line, including, and I know this is a touchstone for some folks, Innovation Park is actually located in a strategic economic growth area. It's in a SEGA. It's provided the city land for new businesses and existing businesses to expand and to grow, as opposed to leaving our city and bringing their very valuable jobs and tax dollars to other localities in Hampton Roads. I love Norfolk and Chesapeake and Suffolk just as much as the next person. I'd much prefer to have jobs right here in our home city.

And, God forbid, they leave to go to the Carolinas or elsewhere. I'm here today asking that you change the name of the Green Line context area back to the Courthouse context area, and that you rename the Green Line the Rural Boundary Area, which is really what people think of it as, where the rural boundary is in the city. The Rural Boundary Area really is that vast what the vast majority of citizens consider the line between what's developed and what's not developed, and potentially what shouldn't be developed in the future.

We look forward to working with staff as we understand the next step in the process, once the comprehensive plan is adopted, is to bring together all the stakeholders and businesses with staff to update the ITA-TIA Plan, which, as everybody knows, is very critically important, but we think the phraseology matters, and that changing the phraseology back to what it was helps to preserve that flexibility, and certainly the public perception as far as what should happen in those areas. I'm happy to answer any questions and I tried to keep it brief because I know everybody wants to go home.

Mr. Anderson: Any questions? Lisa, did you mean to say the Blue Line on the rural context?

Ms. Murphy: Yes, sorry.

Mr. Anderson: I just want to clarify that.

Mr. Coston: Any more discussion or motion?

Mr. Camp: Yes. A question from staff on rebuttal. Hank Morrison presented this. We've heard speakers. Is he going to come forward so that I can ask him a question in his rebuttal moment? Thank you, Hank. We heard testimony a few minutes ago about Innovation Park being a strategic growth area. Is that correct under the new Comprehensive Plan?

Mr. Morrison: Under the Imagine VB 2040, Innovation Park is no longer in a special economic growth area.

Mr. Camp: Thank you very much.

Ms. Cuellar: I have a question. Sorry. Could you just provide any additional context on the recommendation for the change for the Blue Line to go to the Rural Boundary?

Clerk: So we were, as you know, we presented to City Council a week or so ago. And City Council asked that we bring to you their request to modify the Green Line context area back to the Courthouse context area. They had additional discussions. And a week later, they conveyed to me that, and you received this email, where they wanted to consider changing the Blue Line into the Rural Area Boundary, because, again, same thing, confusion about what those areas actually were or meant. And they believe that if we change the Blue Line to Rural Area Boundary, it would be more clear for our citizens.

Ms. Cuellar: Thank you.

Mr. Coston: Any more questions?

Ms. Schoonover: I move to amend the draft Comprehensive Plan to change the Green Line Context Area back to its previous designation, the Courthouse Context Area.

Mr. Coston: Do I have a second?

Ms. Schoonover: Motion seconded.

Clerk: Just for clarification, is this a motion to approve the ordinance with just that one name change? I'm going to have a second change if you saw the paper that I put on everybody's desk this morning, outlining the changes that I intended to make. The two motions. Did you see that document?

Ms. Schoonover: Yes, but I don't know why there's more than one vote. I was trying to split it because there may be some divergence of view on each one of these. Some people may support one and not the other. Do you need me to make the motion together? I'm happy to do that.

Mr. Coston: I think I'd like it that way.

Ms. Eisenberg: I imagine that it would be a motion to approve with certain recommendations.

Ms. Schoonover: Sure. Okay. I move to approve the comprehensive plan with the following amendments. To change the Green Line Context Area back to its previous designation, the Courthouse Context Area, and to amend or to rename the Blue Line the Rural Boundary, Rural Area Boundary. Is that right?

Ms. Eisenberg: Can I also ask, is your motion including the additions that were provided to everyone regarding the broadband and Southside Network Authority and manufactured housing changes?

Ms. Schoonover: So should, how do you want me to phrase that? Should I just say to include those items that you have just listed? I'd like to include those items that Tori just listed. Thank you.

Mr. Camp: Chairman may I have a point of order. I need clarification here. If this motion does not pass, then are we done? And it goes forward to City Council as a recommendation not to approve the Comp plan. Is that what's now been created here?

Ms. Eisenberg: That is generally the way that applications work, coming from Planning Commission to City Council. I think it would be prudent to have a robust discussion and see where everyone is feeling on these before doing so, meaning taking the vote. You can also suspend your rules of procedure at any time. So you could not have that be the case. You could have another motion made, or in the event that you don't suspend the rules, you could have a substitute motion made.

Mr. Camp: Well, I'm deeply troubled by this, and I'm just trying to understand it. I did not expect a Frankenstein motion of -- the only way to approve it is with a bunch of other things in it. I thought we had four agenda items, and we were voting on four things here. And if someone wants to offer –

Ms. Eisenberg: There are four agenda items, and you are voting on four things. There is an ordinance, there is a resolution, and there are two text amendments. Those are the four items.

Mr. Camp: Alright. Thank you for the point of order, Mr. Chairman and Counsel.

Ms. Schoonover: Would it be beneficial for us to suspend the rules and discuss this before we start making these other motions? Because it sounds like it's getting very complicated, which is what we were trying to avoid.

Ms. Eisenberg: That's fine. But ultimately, it will be coming forward as if it's a motion for approval, it will be a motion to approve with X amount of recommendations included.

Ms. Schoonover: Sure. It sounds like it's a little too confusing. Why don't we suspend the rules and have a discussion and then consider how we want to make a motion or motions? What do people think about that?

Mr. Plumlee: Mr. Chair, may I address that question? We have a motion before us. As I understand it, it's to approve the comprehensive plan with the changes. I know it's been a long day. We've got the change with regards to the context area, the Blue Line reference, and then these specific references that were handed out under the regional partnership references that we were shown this morning. I think we can all address the motion and see where it goes. You know, I voted, I think it was a vote, with Holly as our chair on the Blue Line, Green Line area, context area, did we take a vote or was it a, it was an informal poll. Thank you. It was our straw poll. Thank you. I'd never know how that goes, you know, if it was a noticed meeting and so we were taking votes or not, but I have come around to the idea that that this has some political component to it. And I know Catherine used that, and I scratched my head. I didn't know what she was talking about. And then later, I began to think about it. The reference is a place. It's a context area. And it appears that there's more meaning for it to be referred to as the Courthouse Context Area, as opposed to the Green Line area. I think, I took the mistake in understanding that it was better recognized as a Green Line area than it was as a Courthouse area. But I have since experienced many opinions from many other people that that was an incorrect assumption. So I'm willing to change this, as Ms. Murphy referred to and as Catherine has done today. And that may deeply trouble some people, and I understand why it might. But this has been a long journey with a complex document. I would like to see us move forward with it. And if those changes will be well received by the body that must put its ultimate stamp on it, then I think I have to support this motion that's been made for that reason so.

Ms. Cuellar: So in reference to Brian's comment in our conversation as a body, I initially thought Courthouse context more clearly define the area. So I am in support of that, but it does not negate the importance of the uniqueness of south of the Green Line. When it comes to the Blue Line, I'm thinking that more of a rebranding if you will for the rule and I am supporting that as well for more recognizable area. As much as we have heard from so many residents from the south side of the city, many folks where I live in District 8, they keep even asking me, I'm not really sure where the Green Line is, or what exactly is the Blue Line. Can we go on a field trip? And I'm like, sure, I'll take you down there. And I don't want to, as much as words matter to all of us, we've come a long way. And I thought of this process as a community builder. But I also see sometimes where there's been division in our city, and it's only because so many folks are so passionate about where they live. And we have, as a commissioner, have a responsibility to look at the city in its entirety. And I really want to thank my fellow commissioners for this process together, because I got to learn about your district through your lens, but I'm also so humbled by your view of our city as a whole. And so I'm grateful for that. And if any of our former commissioners are watching, I want to thank them as well, and Hank and Kathy and the whole team. I know Rachel's not here today, but thanks for putting up with us and providing all the snacks and being patient with everyone. In this process,

I'm very grateful, so I'm humble to support this document. And I also want to say that we've heard this document should be new. There are going to be future opportunities that we don't even know about yet. And I want to make sure that we're creating room for those. Thank you, Mr. Chair.

Mr. Camp: As I said earlier, I am deeply troubled by a process that springs upon the public a change that they were not aware was going to happen and does not afford them the opportunity to come and offer comment to this body on. This plan can be amended at City Council. City Council has the power to do that, of course. And if that were the case, there would be notice to the public about that. There was no notice to the public that the document that we had in front of us that was published for the past 30 days would be approved in a different format than what they had come to understand over the two-year process that they have engaged in and worked on it. That process troubles me. With regard to the content of the proposed change, we do not refer to the coastal area as the Cavalier area, although the Cavalier Hotel is a prominent building there, because the coastal area is a land use description for a part of the city that has special considerations that apply to development and land use in that area. We do not refer to the Inland area as the Westin Town Center area because that whole portion of the city has different land use considerations. And our purpose as a planning commission is to look to the health, safety, welfare, and convenience of the public with regard to these land uses. With regard to the part of the city that is in the rural area, we don't have a limitation on rural uses at what is known as the Blue Line. There are agricultural districts well north of the Blue Line. Adopting this change says this is the upper limit. And I don't think we owe our agricultural heritage, our landowners, that entire industry, the third largest industry in our city, a boundary that suggests the things you do, you don't belong north of here. And that's exactly how I read this proposed change. The transition area and the ITA with it together, what is currently in the plan is the Green Line area, is an area where the different uses come together. We taper out the more urbanized uses there, and we transition to the more rural uses to suggest that the rural uses don't. They know what it means. And I've been to meeting after meeting where people know exactly what it means. This is not a AAA map or Waze where you're trying to navigate your way around the city. This is a land use document describing areas that have certain rules, policies, and plans. The Green Line context area might as well be part of the inland area if you took away the Green Line. That is what actually distinguishes it from the rest of the inland area. It says there are some special land use rules that apply here, and we deal with them all the time. For the reasons of process, as well as introducing confusion, I object to this manner of approving the hard work of so many people over so many years. And I'm left with the choice now of voting no over a document that I primarily support, because of this last-minute maneuver, depriving the public of comment, that is just distasteful to me. I'm sorry that we've come to this moment.

Mr. Mauch: Commissioner Mauch. I'd like to focus specifically on the Green Line context area and kind of highlight something that Walter did say, that, you know, if there wasn't a Green Line in place, there wouldn't be a separate context area here. The only reason that there is a context areas because of the two demarcation lines of the Green Line and the Blue Line. And for us to

change the name from what it's intended to do, which is to transition from rural to suburban and urban, it doesn't sit well with me and I would not be able to support changing the name. And I don't think that there's been enough consideration for changing the Blue Line name. I just heard about it today for the first time. To be able to vote on amending something that we've worked on for multiple years would be disingenuous to the public and to myself. So I can't support that.

Mr. Coston: Commissioner Hippen would like to say something.

Ms. Hippen: Hi there, I'm gonna be short so I don't start coughing. This name changed originally when the COMP plan came out, this was the name that we had, the name that's proposed now. And we were told none of these areas would have their names changed. And each of you should remember me kicking up a storm when word came out that the name was changed, because none of us were consulted. What's in a name? Okay, we can call it Blue Sky Area. The bottom line is that there are certain areas of this city that have a purpose. And there are certain areas of this city that we should make sure that we maintain, to keep our agriculture going, to keep the nature of the city going. There are other areas that we can develop. And that's what's important. Not a name. Thank you. Oh, I'm sure I'll get nasty emails like last time, too.

Ms. Byler: Susan, I'm sorry, this is Commissioner Byler. I'm unsure as to how you preface that comment. Were you saying that it was originally called the Green Line and Blue Line, and then it was changed to the Courthouse context and then changed back? What was it you were saying?

Ms. Hippen: It was not originally the Green Line, Blue Line area. It was another name at the beginning. Maybe our good person can come back up and tell us what the original name was.

Ms. Byler: I thought it was the Courthouse context.

Ms. Hippen: Yes, it was. Originally, yes. Thank you. That's what it was. What's in a name, bottom line is, are we going to follow the Comp Plan? That's the important thing.

Mr. Cromwell: To just pick up where Susan just left off, if we're going to follow the Comp Plan, then we're going to leave it like it is. We're going to leave it the Blue Line, and we're going to leave it the Green Line context area. Here it is, in print. It's already been printed. Why, in the world, at this day and time, would you try to change it? It was no public input whatsoever. I'm not in support of this at all.

Mr. Camp: I have a motion to amend the motion that is currently on the table. My motion is to approve the Comp plan in its current form with the addition of the broadband language that we are given today and stripping out the two additional changes that were proposed in the base motion.

Ms. Byler: I'll second just again.

Ms. Eisenberg: Sorry. A point of clarification. Does the substitute motion, though, still include the additions of the Broadband and Southside Network Authority and manufactured housing changes?

Mr. Camp: Yes, ma'am, I acknowledge this.

Mr. Coston: I've got a question for counsel. So if we accept this motion and it does not pass, does that mean we have not adopted the –

Ms. Eisenberg: Well, did y'all's rules adopt? I don't think you did. So there will be a motion made to make the substitute motion the main motion. If that motion passes, then the motion that you will be voting on will be Commissioner Camp's motion. If that motion is approved, then that's how it would go to City Council. It would be a recommendation for approval with just the two additions of broadband and manufactured housing. If that motion fails, then the motion on the table would be Commissioner Schoonover's motion, and then there would be a vote on that motion that has four additional recommendations.

Ms. Cuellar: Mr. Chairman, just for the record, last week is when we received the email with the recommendation, excuse me, the email from our planning director on the recommendation from council for consideration for this name change.

Mr. Coston: That's correct. Actually, the fifth, yes.

Ms. Cuellar: And it should be noted that I have been discussing this issue at length for about a year. So it's not exactly unknown. And it has been in writing on multiple occasions and multiple documents related to the comprehensive plan, comments.

Mr. Anderson: I guess, I want to find out. So if we go to the alternate motion, we cannot vote on the Green Line, Blue Line as a separate item. We have to, this has to be as a component of the Comp plan, or not at all. So, in other words, if we take the alternate alternative, what Commissioner Camp has asked for, we can't come back and vote on changing this because it's in the original documents.

Ms. Eisenberg: I think I'm confused by your question, but let me try. Let me, let me ask you this way.

Mr. Anderson: If Commissioner Schoonover revises her motion to just vote on this as a change, without being without having to approve the full Comp plan. Can you do that?

Clerk: So there's a couple different things that could happen. So there's a motion that was made in, seconded by Commissioner Schoonover. So she can either accept a friendly amendment to that motion, or there could be a substitute motion made and seconded, which is what occurred. So again, like I just said, so since there was a substitute motion made and seconded, the next thing

that this body will do is make a motion to make the substitute motion the main motion. There will be a vote. If that vote passes, then the vote that will be taken next will be Commissioner Camp's motion for approval, recommendation of approval of the comprehensive plan, with just the changes regarding broadband and manufactured housing. If that motion passes, then it would go as a recommendation to City Council as approval of the comprehensive plan with those two additions.

If that motion fails, then the motion left on the table will be that of Commissioner Schoonover, which would be a motion to approve the comprehensive plan with four recommendations, including changing the name of the Courthouse Context Area and the Rural Area Boundary, in addition to the broadband and manufactured housing.

Mr. Coston: So that means we need to vote to –

Clerk: So there needs to be a motion made to make the substitute motion the main motion.

Mr. Coston: Do I hear a motion? I think we've had a motion. We've already a motion in the second.

Mr. Camp: I think we already have a motion, which is seconded.

Clerk: So there was a main motion made. There was a substitute motion made. So now I believe the chair is entertaining a motion to make the substitute motion the main motion.

Mr. Camp: So moved.

Mr. Coston: Second.

Clerk: The vote is open.

Ms. Schoonover: I haven't even made a comment about my own motion yet.

Mr. Coston: I think we've made a motion. We've had a substitute motion made. We needed to vote on the substitute motion.

Clerk: So you're right now, you're there is a. The current motion on the table is to make the substitute motion the main motion. You can either have, you can have discussion on whether or not you want to have that be the main motion. You don't have, I mean, you can. You don't have to call for the question right now.

Ms. Hippen: Yeah, discussion for the question.

Mr. Coston: Are we ready for the vote? The vote is open to make the substitute motion. Commissioner Hippen?

Ms. Hippen: No.

Clerk: By a recorded vote of 5 to 6, the motion to make the sub-motion the main motion, has failed.

Vote Tally

Commission Member	AYE 5	NAY 6	ABS 0	ABSENT 1
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover		X		
Plumlee		X		
Hippen		X		
Cuellar		X		
Coston (Chair)		X		
Moorjani		X		
Mauch	X			

Mr. Plumlee: Now we go back to the main motion. Thank you. I call for the for the question.

Ms. Byler: Okay, and I'd like to offer discussion. So I struggled with this more than I did the Nimmo application, which was a hard one. I have a lot of problems with this, including procedural, as Commissioner Camp has pointed out. I don't like it that we're making a change that the public has not had an opportunity to weigh in on. My very first meeting as a planning commissioner, it was announced that we were going to start working on a new COMP Plan, and I was so excited about it, I went immediately to Hank and said, I want to be a part. He said, oh, you will be. And boy, was I. Right from the start with the focus groups, and I've attended countless meetings, every opportunity I possibly could participate in. And I've heard over and over the Green Line. And I disagree that the people who opine don't know what it means. I think they know what it means. They know it means limited development.

I think Commissioner Schoonover is correct when she says they don't understand the difference in the Blue and the Green line. That I really believe. But I do think they understand it means limited development. They may not know exactly where it is, but they know it means limited development. If we were changing the name to something like Transition Area, that would make perfect sense to me. Call it Courthouse Complex Area does not to me. However, we're just changing titles. We're not changing the content.

City Council has asked us to do it. I'd like to be agreeable. I just really hope that, as Commissioner Cuellar mentioned, this is not an attempt to rebrand. I'm concerned that I heard economic development director or chair say that it's a development area in the ITA, it's an SGA, and then I hear, no, it isn't. I don't think that's what the citizens are expecting, but it's kind of what I've been

seeing. The title of the section is not going to change what's going to happen to the city. The citizens have said they want limited development south of the Green Line.

I understand the economic impact, and I understand we're short on land. I'm excited about what I've seen in Burton Station and other areas. So for me, it comes down to I want to see this plan moved on to City Council. They have the authority to change it anyway. They've asked us to. So I will vote in favor of the motion, just to get along and move along. I believe in the plan overall. I believe in the content of it. A lot of good people put a lot of hard work in this plan, and now it will be in the hands of City Council to do with it what they will. Thank you.

Mr. Plumlee: I just want to restate the motion, if that's okay, so we know what we're voting on, and maybe the public would know as well. The motion that's on the floor, as I understand it, is approval of the comprehensive plan with the change in the context areas we've discussed and the additional written changes that were provided to us this morning and the references to the Blue Line. So that's the motion that, as I understand it, is right now, and I call the question.

Mr. Coston: Are we ready for the vote?

Clerk: The vote is open.

Ms. Hippen: Yes.

Clerk: By a recorded vote of 8 to 3, item one, City of Virginia Beach Comprehensive Plan Ordinance has been recommended for approval.

Vote Tally

Commission Member	AYE 8	NAY 3	ABS 0	ABSENT 1
Camp		X		
Cromwell		X		
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch		X		

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #2 City of Virginia Beach
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Mr. Coston: Madam Clerk, was that our last?

Ms. Alcock: We do still have the votes for items three and four. Those are the text amendments associated with the COMP plan. Oh, sorry, and the resolution.

Mr. Morrison: So, item number two is a resolution of the Planning Commission of the City of Virginia Beach, approving and certifying to the City Council the comprehensive plan and all plans incorporated by reference, which will supersede the 2016 plan.

Mr. Plumlee: And that will be what we've just voted on.

Mr. Morrison: Yes. Correct.

Mr. Plumlee: As we voted on it.

Mr. Morrison: Yes, sir. Thank you. I think she would know better than I would.

Ms. Eisenberg: So what I would recommend if there is a motion to be made. That the resolution read that it would be with the recommended changes that are made here today, so that there will just be a sentence added to reflect the previous motion that was voted on, so that they do align.

Mr. Plumlee: If the chair is ready, I'll make a motion. I'll make a motion to approve the resolution with changes to reflect the amendments made to the COMP Plan today and with the COMP Plan approval.

Ms. Hippen: Second.

Mr. Coston: Okay, it's been moved by Commissioner Plumlee and seconded by Commissioner Hippen. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen?

Ms. Hippen: Yes.

Clerk: By a recorded vote of 8 to 3, Item 2, City of Virginia Beach Comprehensive Plan Resolution has been recommended for approval.

Vote Tally

Commission Member	AYE 8	NAY 3	ABS 0	ABSENT 1
Camp		X		
Cromwell		X		
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch		X		

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #3 City of Virginia Beach
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Mr. Morrison: And so, item number three is a housekeeping text amendments for the zoning ordinance to reflect the Imagine VB 2040 Comprehensive Plan.

Mr. Plumlee: I have questions. Am I okay to ask them? Okay. Hank, tell me, you're saying, what exactly with this housekeeping motion?

Mr. Morrison: So, all of those sections currently reference the 2016 COMP Plan design guidelines.

Mr. Plumlee: We are not changing the zoning ordinance substantively. We are simply changing a date and a name. Is that fair?

Mr. Morrison: That's correct, yes. Thank you very much.

Mr. Plumlee: I'm ready to make a motion that we move to approve the housekeeping change that has been recommended by city staff with the changes from our initial motion for approval of the COMP Plan.

Mr. Coston: Do I have a second?

Mr. Anderson: Second.

Clerk: It's been moved by Commissioner Plumlee and seconded by Commissioner Anderson that we approve item number three. Are we ready for the question?

Clerk: The vote is open. Commissioner Hippen?

Ms. Hippen: Yes.

Clerk: By a recorded vote of 11 to 0 Item 3, City of Virginia Beach has been recommended for approval.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0

Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #2 City of Virginia Beach
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Mr. Morrison: Then item number 4, same kind of situation, but it's to amend Section 16-43 of the City Code to reflect the Imagine VB 2040 Comprehensive Plan.

Mr. Plumlee: I make a motion to approve this amendment.

Mr. Anderson: Second.

Mr. Coston: We have a motion by Commissioner Plumlee, seconded by Commissioner Anderson, that we approve item number four. Are we ready for the question?

Clerk: The vote is open. Commissioner Hippen?

Ms. Hippen: Yes.

Clerk: By a recorded vote of 11 to 0, Item 4, City of Virginia Beach, has been recommended for approval.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #5 City of Virginia Beach
Recommendation: RECOMMENDED FOR DENIAL

Discussion

Mr. Coston: The next order of business is a regular agenda. Madam Clerk.

Clerk: Our first item is Item 5, City of Virginia Beach.

Mr. Reed: Good afternoon, Chair Coston, Vice Chair Byler, members of the Planning Commission. I'm Mark Reed, historic preservation planner in planning and community development. Item 5 is an ordinance to remove a GPIN-identified parcel and a portion of a GPIN-identified parcel from the Nimmo Church Historic and Cultural District, and to amend the official zoning map of the City of Virginia Beach to eliminate the Nimmo Church Historic and Cultural District. The Nimmo Church Historic and Cultural District was established in 1980 and was expanded in 1986.

It's located at the intersection of General Booth Boulevard and Princess Anne Road. You can see it here in the pink in the slide. The Historic and Cultural District is 9.95 acres in size. 6.7 acres of the 9.25-acre Nimmo Church parcel has the Historic and Cultural District zoning overlay. All 3.25 acres of the Royal Farms parcel has the Historic and Cultural District zoning overlay. The slide here in blue marks the full parcel for Nimmo Church. The Royal Farms parcel is to the left. It shows the density around the district. It's not a very intensive density here in Virginia Beach, there are condos across General Booth Boulevard from the district and the 7-Eleven across Princess Anne Road from Royal Farms. And, of course, Royal Farms is there in the district.

The Nimmo United Methodist Church was originally built in 1791. It was expanded in the 1840s. And the tower/steeple was added in the 1890s. It has several other additions that were built in the 20th century. It also has a fairly large amount of open space. They have a community garden, there's a cemetery, and it's a lot of open space in their 9.25-acre site. The Royal Farms store, car wash, and gas station was constructed in 2023. Its design and materials did go to the Historical Review Board. The Historical Review Board made several recommendations for changing the design and the materials, and the applicant at that time complied with all of those requests. And finally, you do have one letter of support and three letters of opposition for this item. Happy to entertain any questions you have.

Mr. Coston: Commissioner Cuellar.

Ms. Cuellar: Thank you so much. Mr. Reed, I have a question. We received a correspondence from the Historical Review Board and I'm not as familiar with this. And I'm just pulling it up in front of me, maybe you can help me better understand this designation. It makes reference in the letter to the City of Virginia Beach earned the designation of certified local government from the

National Park Service in 2016. And the letter is referencing that if an overlay is removed, that this could hurt our designation. Can you speak to that a little bit for us, please?

Mr. Reed: Certainly. The certified local government designation was established in the 1980s by the National Park Service to recognize local communities that have a strong basis for a good historic preservation program. It is administered through the State Historic Preservation Office, which here in Virginia is the Virginia Department of Historic Resources. A main requirement of being a certified local government, or CLG, as it's typically called, is to have a local ordinance that identifies districts within the city and provides some protective instruments to maintain their historic character. So here in Virginia Beach, we do have 16 of those. And I know the concern from the Historical Review Board is that should this request be approved and the zoning overlay be removed, then that would open the door for several of the other districts to do the same. And, yes, losing those protections could impact our standing as a certified local government.

Ms. Cuellar: And if I may, Mr. Chairman, that also having that designation allows an opportunity to facilitate grant money for historic preservation. Is that correct?

Mr. Reed: That's correct. The State Historic Preservation Office receives federal grant money from the National Park Service, their Historic Preservation Fund. They are required to provide 10% of that amount of money coming to them from the Historic Preservation Fund to certified local governments. I believe we have 39 in Virginia at this time. The City of Virginia Beach has utilized the certified local government grant program quite a bit. I think we've received it either four or five years in a row here for various projects, including the standards and guidelines that we have for the historic districts, as well as updating several of our older National Register of Historic Places nominations. And we're working on the next grant application right now.

Ms. Cuellar: Great, thank you very much.

Mr. Coston: Commissioner Plumlee.

Mr. Plumlee: Mr. Reed, you went through, and I'm sorry to ask you this again, I just want us all sort of on the same sheet of music with this request. The Royal Farms had, that property had the overlay. It was within the overlay, is that correct?

Mr. Reed: That is correct. That particular parcel was part of the 1986 expansion to the district. At that time, it was undeveloped.

Mr. Plumlee: It was undeveloped at that time, was it owned by the church or some other party at that time?

Mr. Reed: It was owned by another party. I think the church owned a little sliver, that's part of it now that they conveyed, but it was owned by another party.

Mr. Plumlee: But the request for Royal Farms, which is less than historic to me, and I'm maybe not as well educated as others, was approved by the same review board that would be reviewing the request today. Is that fair?

Mr. Reed: They approved the design and the materials. The Historical Review Board does not review use. In fact, they've made an unprecedented step to send a letter to City Council when it went to them saying that if they, if it was up to them, then they would not have approved the use, but they were not charged with that.

Mr. Plumlee: But it was, I guess, the precedence is that there has been development while the district is preserved. It did not have to be destroyed in order for there to be development within the district. Is that a fair assumption? That's what I'm trying to gather.

Mr. Reed: Right. So the zoning overlay is not designed to prevent change. It is designed to be able to direct change so it's compatible with the existing district and its characteristics.

Mr. Plumlee: Thank you.

Ms. Coston: Commissioner Schoonover.

Ms. Schoonover: Is Nimmo receiving any of the grant money that you referenced from the federal government for their property?

Mr. Reed: Well, the CLG grant that was used to create our standards and guidelines then directly impacts Nimmo Church. The certified local government grant is not designed to be passed through to other historic entities. It's really designed more for planning and education for your local review boards and historic preservation commissions, so, directly, no.

Ms. Schoonover: Is the city intending to cover the costs of the church in terms of maintaining and repairing the property to the extent that they need to have this money covered?

Mr. Reed: Well, we've received no request from them to do so. City of Virginia Beach typically has not provided any grant funding to historic buildings for their maintenance and preservation.

Ms. Schoonover: Is it your understanding that there will be no funding to the extent that the church needs it in order to cover the costs of repairs and maintenance?

Mr. Reed: I really can't respond to that because that would probably be a decision of the City Council or budget office, city manager's office, etc.

Ms. Schoonover: Thank you.

Mr. Coston: Commissioner Byler.

Ms. Byler: Thank you. I appreciate all of your comments. I find this really interesting project. I mean, it was founded just 15 years after we stated our independence from England. So it goes way back, 1791. I understand, of course, that was well before emancipation, back in the days of slavery. And I understood that this church had particular significance regarding the history of African Americans. I wonder if you could address that, please.

Mr. Reed: Yes, thank you for your question. I mentioned an 1840s expansion, and it's my understanding that as part of that expansion of the building, that they built a balcony, and the

balcony was built specifically for members of the African American community, certainly some enslaved members, to attend their services. And then, after the Civil War, after emancipation, those members that had been attending, those African American members, created their own church down the street. I believe it's Zion or Mount Zion Baptist Church. And so there is a significant history and association with the church and its support of the religious practices for the African American community.

Ms. Byler: Thank you. I appreciate that. And as I understand it, the historic building was only the one building in the steeple. It wasn't all those adjacent ones on the right or the left. Is that correct?

Mr. Reed: I'm sorry, could you repeat that?

Ms. Byler: When I toured the church, and I very much appreciated the opportunity to see it in person, I understood that the portion we're addressing today is just the original main building and the steeple, and it is not the newer buildings that were built in the 1900s or the 2000s. Is that correct?

Mr. Reed: What we're addressing today is the entirety of the historic district. They are requesting the removal of that zoning overlay for the entirety of the nearly 10-acre historic district.

Ms. Byler: Okay, so it would all be removed then. Wow. Okay, thank you.

Mr. Coston: Commissioner Camp.

Mr. Camp: Thank you, Mr. Chair. Thank you, Mr. Reed. I have two questions. As planning commissioners, we receive a staff report that helps us understand the issue and the facts about each of these items that we deal with on our agenda like today. But unlike the other items, when the planning department itself puts forward the item, in this case, a change to a historic district, we don't get the same type of report. We get a very abbreviated version. So I have two questions that we might have seen in a standard report for if a different applicant had brought this forward. One is the relationship to our comprehensive plan. City Council has adopted into the, as you well know, adopted into the Comprehensive Plan, a Historic Preservation Plan for the City of Virginia Beach. And I believe you were primary author of that plan, as it was readopted recently in 2023, correct?

Mr. Reed: I managed the project. We had a consultant who did the writing of it.

Mr. Camp: Very good. So you are familiar with the document, obviously.

Mr. Reed: Yes, sir.

Mr. Camp: Is this application before us today consistent with that aspect of our comprehensive plan?

Mr. Reed: Consistent with the Historic Preservation Plan?

Mr. Camp: That is the element of the Comp plan that most closely pertains, yes, sir. I'm asking this because we don't have that in writing before us. Normally, we would have some relation of the Comp plan to the question before us.

Mr. Reed: The Historic Preservation Plan mentions the existence of the historic and cultural districts several times. The plan is primarily for the Historic Preservation Commission, which does completely different work from the Historical Review Board, it is not regulatory. They're advocates. They do various projects that enhance the historic nature of the city. But from staff's opinion, if I was to write that into a staff report, I would say that it's not consistent with the Historic Preservation Plan.

Mr. Camp: All right. Thank you for your answer on that. And then my second question. We received written testimony from a member of the public that to me, as a planning commissioner, was extremely helpful. Mr. Sawyer authored a letter. It was very detailed. It recounted a lot of history about what has happened, including how this historic district came to be in his point of view. Among the things in his written testimony to the commission were statements about the roads nearby the church. And how those roads, as we see them today in their modern locations, are not where roads had been in the past near this church. And his written testimony, if I recall it correctly, stated that those roads were routed further away from the church building at some expense to those projects. But it was because, or partially because of this historic district and the historic nature of this church, that it was afforded a greater buffer. We're speaking in generalities. Is that generally your take on it, that the church has benefited from the existence of the district, not just in the specific manner, perhaps of grants, but also by denoting a special place that other projects have modified their parameters to take note of?

Mr. Reed: Yes, the letter mentioned a conversation with a staff person relative to the historic district and a reason for altering the original planned design location of the extension of General Booth Boulevard, Princess Anne Road. Staff has done some research. We did find an advertisement for a public comment meeting. It was April of 1982, so it could have been at that meeting that they're referencing that conversation. I was not in attendance. I didn't live in Virginia Beach at the time. So, within the context of newspaper articles and City Council minutes, from what we can tell, the redirection of the road to what we see now was done at the request of Nimmo Church. They felt that the initial design had it too close to the church. And they did get some, as part of that arrangement, they did get some additional land from the city.

Mr. Camp: So, when roadway projects are proposed, it is customary to see if they will impact historic resources in the path of the project. Is that correct?

Mr. Reed: Typically, most road projects are going to go through a Section 106 review for impacts or effects on architectural and archaeological resources. In general, they look at all the resources within the physical impact and typically within a visual impact as well. The Section 106 is a Federal regulation. So generally, the primary thing they're looking at is resources that are eligible for listing in the National Register of Historic Places, or that are listed in the National Register of Historic Places. They may look at local designations, but I can't say they do that in every instance.

Mr. Camp: Thank you for your answers to my questions, sir.

Mr. Coston: Commissioner Mauch.

Mr. Mauch: Thank you, Mr. Reed, for explaining a lot of this to us. In the summary of requests in our report that we received, it said the Nimmo Church HCD was established by City Council on August 25th, 1980, with the subsequent expansion of the district approved on April 14th, 1986. How did this district come about? Was it asked from the city to the church? Was the church asked to the city to place this in a designation?

Mr. Reed: We have not been able to find any definitive documentation that would indicate the direction of travel for that request. The only thing that is documented is it went to City Council from the Planning Commission, which would have been a typical step. But the City of Virginia Beach, especially in that era in establishing historic districts, did not do it if the property owner did not want it to take place.

Mr. Mauch: Okay, so kind of voluntarily, mutually agreed upon on both sides. And then, from the historical district, as it was created in 1980, what were the parameters for the expansion?

Mr. Reed: The extension in 1986?

Mr. Mauch: Yeah.

Mr. Reed: That happened because of the road project. So, some of you may have grown up here and would know that Nimmo Church was quite a landmark. It was Oceana Boulevard came right to Nimmo Church. If you went to the left, you went to Sandbridge, Pungo. If you went to the right, you went to the courthouse. So, it really sat in a triangle of roads. So, if you think of where General Booth Boulevard is now, it's a good distance from where that part of the road that went off to the courthouse is. So that opened up that whole area between the church and the new alignment for General Booth Boulevard and Princess Anne Road. So it was that road project that precipitated the expansion. And the land was transferred accordingly, part to the church and part to a private entity.

Mr. Mauch: Thank you.

Mr. Coston: You may be seated, I think. Madam Clerk, do we have any speakers signed up for this item?

Clerk: Yes, we do. We have, I believe, eight speakers. Our first speaker is Dan Lear, followed by Mary Lou Barnes.

Mr. Lear: My name is Daniel Lear, and Mr. Chairman, Madam Vice Chair, and distinguished members of the Planning Commission, first and foremost, I want to thank you all for giving me the opportunity to speak to you today. I'd also like to thank the people that visited our church, I guess it was last week, to look firsthand at the challenges that we're faced. And I might add just quickly for the discussions that I've just heard with respect to the planning district, the history, etc., why those points are important. We're really here to talk about economics and the survivability of our church, and I want to make that perfectly clear up front, if you will, please.

I was the chair of the 2025 Leadership Board at Nimmo, and I'm currently the chair of the stewardship committee, and one of our functions includes fostering the raising of funds to financially support the church. So I stand before you, representing the Nimmo United Methodist Church leadership as the designated representative. And with respect to what we put together today, there would be a total of four speakers. I heard the clerk say more than four. But I just want to make the point that the leadership is bringing a total of four speakers before you today.

As stated on our last meeting, we work with Councilwoman Henley and members of the city staff to initiate the drafting of the proposed ordinance eliminating the Nimmo Church Historic and Cultural District. And we are once again respectfully asking you to support that proposed ordinance. Simply put, we firmly believe that this ordinance is crucial for the survivability of our church. As you heard earlier today, our church was originally constructed in 1791. And since that time, we've undergone numerous maintenance repairs and two major 20th century renovations.

Our urgent need today is to perform critical repairs to the exterior of our entire facility. Not just the historic church and steeple, but our entire facility. And once again, I'm hoping that the people that visited saw the damage that we have. This work includes replacing deteriorated wood siding and upgrading windows, many of which have wood rot and are unable to be opened. We cannot afford the current and future cost of implementing these urgent repairs under the mandates stipulated by the Historic Review Board. These mandates include using same materials as were originally used when the building was constructed in the 18th century, if available, without consideration of cost.

If forced to remain in the Nimmo Historic and Cultural District, the cost difference in utilizing mandated custom milled wood siding and repairing existing windows in place will drain our existing financial resources. It will also negatively impact future congregations with an unsustainable maintenance burden. Specifically, the church will experience an immediate half-million dollar penalty if we're forced to use custom milled, replacement wood siding materials as opposed to identical looking modern siding. Additionally, by not using modern siding, future congregations will also incur an estimated $50,000 maintenance expense every 10 years into the future. That's essentially re-caulking, re-painting, and repairing wood, as opposed to much more favorable vinyl siding, which basically has, according to the construction people, lifetime warranty, but nonetheless. We do have a follow-on presenter, Mr. J.J. Jeffrey, that can provide more details on this.

Based upon previous interaction with the Historic Review Board, it is obvious from our perspective that we do not have a partnership. As such, we are also confident that if plans were submitted to the HRB, we would not receive a certificate of appropriateness, COA. We don't have time to go through that process, only be denied a COA, nor can we afford what HRB oversight requires. It should be emphasized that using modern siding and window materials will not change the appearance of the church. The congregation is absolutely committed to maintain the historic look of the church.

At this point, I would like to confirm the following points that were made by our speakers at the last Planning Commission meeting, just to make sure that we're all on a sheet of paper. First, as I just mentioned, the Nimmo United Methodist Church Congregation is fully committed to preserving the historic character of our historic church. Our church is a living congregation with

a spiritual legacy, not just a historic bricks and mortar building. We do not desire to be a museum frozen in time.

And this is important: the church is not listed in the National Register. Nor is it listed as a national historic landmark. Nor is it in the Virginia Beach Historic Register of Historic Homes and Buildings. We're in none of those. Nimmo United Methodist Church rarely, if ever, receives inquiries to tour the church. The church receives no financial support from the City of Virginia Beach, as do other historic structures in Virginia Beach, like the Francis Land and Adam Thoroughgood Houses. Those historic buildings are in the register of Historic Homes and Buildings. Nimmo United Methodist Church also receives no external funding from any outside sources or organizations or entities. We're on our own.

The church has enjoyed no protection from development encroachment from being in the historic and cultural district. I know there were some discussions about the city and roads, etc. I can't comment on that. It was before my time, but I do believe it was a mutual agreement between the church and the city to help the city change the alignment of the roads. The church didn't want the alignment of the roads. The city needed to put new roads and connectors in. And my understanding in talking to people that had been of the church for a long time, it was very cooperative on the church's part.

But the problem we have as far as encroachment is the case in point that was brought up with our friends at the Royal Farms. And, you know, we have a convenience store, a gas station, and a car wash in the district, in the cultural district, and it's contiguous to our church cemetery. Contrary to expressed opinions previously, Nimmo United Methodist Church has in fact engaged the Virginia Beach Historic Review Board members on this matter, as well as other related matters. This includes the proposed pre-COVID church expansion. And the more recent replacement of our garden shed.

The Historical Review Board has been inflexible on all of these matters. So, members of the Planning Commission, in summary, Nimmo United Methodist Church has an urgent need to repair our church exterior. We must be able to use modern, cost-effective materials that will still preserve the historic look of the church. Utilizing custom milled wood siding materials will pose an extreme financial hardship and jeopardize the survivability of the church. We see as our only option is vacating the Nimmo United Methodist Church Historic and Cultural District. Given the above, we respectfully request your support of the proposed ordinance. And I thank you for your time and your attention to this matter. Mr. Chairman, this concludes my remarks.

Mr. Coston: Thank you. Any questions? Commissioner Plumlee and Commissioner Schoonover.

Mr. Plumlee: Thank you, Mr. Lear, for your comments and for coming today. This commission continued this matter, deferred it initially, because no one from the church attended, not a single person, on the initial request. We had no information except the information shared by Mr. Reed, and we believe that we should afford you all time to come and make your case.

Mr. Lear: And we appreciate that, sir.

Mr. Plumlee: I apologize for not making the site visit. It's the only site that I did not get to see, and it's the one I most wanted to see. I put it to a day, and then I was going to do it, and my day

was taken from me. But anyway. You laid out a financial cause first in your statement that there's a half million dollar budgeting difference, at least the immediate, plus the additional maintenance, to use wood in the fashion that you described as opposed to more modern materials. But where you finished that, you said that you had not taken that to the Historical Review Board to see if they would accommodate you in the fashion they had accommodated the Royal Farms adjacent to you. Now, this is where I come to my moment of concern. Our Historical Review Board has laid their objection out unanimously to this request, and they put down their very existence as a consequence. And here we are hearing from your group. And from what I gather, you're laying down your very existence, that the church can survive the maintenance and the demands. However, is it just something you're intuiting that they will reject your request, particularly since they've now stated they may no longer exist if we were to grant your request ourselves to remove you from the district? Or is that well-founded information that you would not be approved for these other materials?

Mr. Lear: Well, that's an excellent question, because initially, in order for the project to go forward, we had to get quotes. And the concern was that if we looked at the regulations that were dictated by the Historic Review Board, and it's adamant, there's a flow chart in that document. It's black and white. It basically said, do materials exist today? And if the answer is yes, it goes to another block. And it says, do the workmanship or handyman exist today that can make those installations, repairs? And if the answer to that is yes, then you go immediately that that has to happen.

So, you know, it wasn't, you know, that drove our decision in the sense that, I mean, it's black and white. So what it meant, what you're talking about, sir, is that we'd have to ask for an exception. We'd have to somehow go in and ask for an exception. Well, that requires that we had to go to the contractors and typically try to get what the costs were. The encounters that we had were from people from the HRB, my understanding, that were talking to us about what was the historical structure and what was not. We've had discussions with some of the folks on site that have basically told us that we had to make similar repairs, using similar materials to the outbuildings. And that caused us confusion.

And so the assumption was that we would have to, in fact, use the existing cedar milled planking on everything. And oh, by the way, some of the contractors that we talked about had no access to this material. And so it became very, very difficult. So that's where we were talking about the cross signals. And we're between a rock and a hard place, because we needed to have a scope, project scope, specifically so that, you know, we could move forward. So, given all that, and given the other examples of the difficulty in working with the HRB, most recently a garden shed. Our garden shed burned down and we needed to bring a new shed in. And members of the HRB, quite frankly, were dictating to us what we had to do. It ended up where the shed that we put in place was approved, with one exception. The black hinges on the doors had to be white. Now, this is an outbuilding. It has nothing to do with a historic church. And we were caught and delayed in this particular project.

So I hope you can see that, you know, we're not just willy-nilly made this decision, that we're not going to try to cooperate with the HRB. Quite the contrary, I think, as good business people or whatever, we have, based on the relationships and based on what we've seen from the HRB, it was quite apparent that if we did try to put a request together, that we would reach a problem with the HRB. And, as such, time was of the essence. We needed the repairs to be done. And particularly

for those of you who have seen some of the outbuildings, I mean, we've got rotten wood exposed. That we needed to take actions. Now, unfortunately, even though we want to move this ball down the road quickly, it just, it hasn't happened. So, but here we are today, and quite honestly, if we have to, if the historic and cultural district is preserved, and we have to go back and get our quotes again from our contractors, and we have to go to the HRB, and see if there can be a modification whenever this is going to take time.

But I also say, this is why my statement, we don't have a partnership. It's quite clear to the HRB that we're struck between a rock and a hard place. Why haven't they come to us with a compromise and say, hey, we understand and we'll support you if you put this forward? In my opinion, the stance that they've taken is they're just, heels are dug in. It's totally up to us. We've got to, you know, we've got to.

Mr. Plumlee: May I follow up with one more question?

Mr. Lear: Yes, sir.

Mr. Plumlee: You're very informative, and I appreciate you articulating your argument for us. It's very helpful. Are there no recognized protections for the church and its operation as a result of this district that you have been able to identify?

Mr. Lear: Not me personally, sir. And I've been associated with the church 20, 25 years.

Mr. Plumlee: Thank you very much.

Ms. Schoonover: Hi. It's my understanding that the church had requested to have their church added, or add this overlay to their church in the first place. Is that your understanding? That's what I was told early on.

Mr. Lear: That was the original question, when the historic –

Ms. Schoonover: It was my understanding that the church had requested to add this historical overlay. Is that correct?

Mr. Lear: I honestly don't know.

Ms. Schoonover: When I went to the church, I found out that you had received some very substantial quotes and that that was just the beginning of the process, as there could be further damage beyond what they could determine just from the outside. Is that correct?

Mr. Lear: That is correct.

Ms. Schoonover: I know originally we had deferred this to buy some time because there were some efforts being made to try to raise money to cover these costs. And I understand that those efforts for the state are probably not going to go through. There have been some efforts with the city. With the amount that the city might be able to provide, would that cover your costs in terms of the current requirements for repair and maintenance, and then long-term repair and maintenance?

Mr. Lear: Well, I think the answer is, Commissioner, it depends on the amount of money. I mean, you know, the project itself. My following speaker can address the actual cost. But, you know, honestly, if there's a substantial sum of money and it could go in escrow and we had to use the materials, I guess that's what we're alluding to, and it would cover those future costs of every 10 years thereabouts of making those repairs, then, to answer your question, monetarily, it would cover the cost of the project.

Ms. Schoonover: When I went to the site and I asked questions about this, it was my understanding that they would not cover the costs. I also was asking further questions about how this process could be addressed, to keep you in this overlay without having to use the required products that they are requiring you to use. And it was my understanding that there was only one way out, and that was to go through them, they turn you down, then you go to City Council, and City Council would have to decide if you would be allowed to have an exception. Is that correct?

Mr. Lear: I'm not sure. I'll just be honest with you.

Ms. Schoonover: That's what I was told. We were looking for a way to keep you in this without having to have you burdened with these problems. And I was told the only way out was that. If you had to go to City Council every time you needed to make some kind of a change, because you'd be turned down to use the these particular, I guess, options that you would need to use, such as vinyl or whatever. How problematic would that be if you had to go to them every time, get turned down, and then go to City Council and hope that they approve your request to get this exception?

Mr. Lear: In my opinion, totally unworkable.

Ms. Schoonover: Thank you.

Mr. Coston: No other questions? Sir, you can be seated.

Mr. Lear: Thank you, Mr. Commissioner.

Mr. Coston: Madam Clerk, our next speaker.

Clerk: Our next speaker is Mary Lou Barnes, followed by Robin Nelson.

Mr. Coston: Please state your name for the record.

Ms. Barnes: Good afternoon. My name is Mary Lou Barnes, and I am the chairwoman of Nimmo United Methodist Church's leadership board, as well as a fourth generation member. I am here to give you a brief understanding of the history of our church. Nimmo's original building was constructed in 1791 in Princess Anne County, shortly after the land was sold by the Nimmo family to the Methodist Episcopal Church. The church was surrounded by three roads and was hence named the Church at the Crossroads.

In the 1840s, the balcony and the bell tower were added onto the building. We also had the balcony added on, which served as our slave gallery, and it still survives today as the only remaining structure related to slavery in what was formerly known as Princess Anne County. Early in the

Civil War, the church was used to billet Union troops and was utilized as a federal hospital. Following the war, the freed slaves who once attended Nimmo created their own church down the road, called Mount Zion African Methodist Episcopal Church. This church is still in use today and does combined services with us on Thanksgiving for the holidays.

In 1989, the church had to be lifted and have the foundation completely redone in order to avoid further disrepair to the historic building. During all of these endeavors, the Civil War, the foundation repair, and even COVID, our congregation never stopped worshiping Jesus and serving our community. That is why we are the oldest United Methodist church in continuous use in Virginia. We are resilient.

A brief insight on our history with the Historic Review Board of Virginia Beach. We joined the HRB back in 1980. In 1989, during the foundation change, we had some other changes done as well. Fellowship hall was added on, outdoor walkways were enclosed, etc. And according to these news articles I have with me from my granny, it didn't seem to go well with the HRB. I would also like to briefly explain how the leadership works in the Methodist Church. Our church has a leadership board made up of nine people who serve as the board of trustees, the finance team, and so on. In many ways, this structure functions similarly to a city council or a planning commission. We vote on decisions with the responsibility of caring for the church, both now and in the future.

And as you likely experience as commissioners, decisions made for the good of an organization do not always have unanimous support. In short, our church will never stop being historical. And that is not because we are in a historic district. That is because of the amazing things that the amazing people I have talked about did. This decision, however, is not about our past, and it's not about our history. It is about our future. We have to ensure that we are making the right choice so that our church can continue to grow, serve our community, and worship God. We were historical before Virginia Beach even existed, and we will continue to be historical if the ordinance is dismissed. Thank you for your time and for everything you do for this great city.

Clerk: Our next speaker is Robin Nelson, followed by James Jeffrey.

Ms. Nelson: Hello, my name is Robin Nelson. I'm a member at Nimmo. I'm on the leadership board there. I want to thank the members of the Planning Commission for hearing us today, and especially thank those of you who visited last week, taking your time to consider our requests. In 1791, a community of believers built both a physical and spiritual structure for the purpose of gathering to worship God, share their lives in faith, and share love and service to the surrounding community.

They hardly expected a wooden structure built in stormy, humid Virginia to survive termites, fires, and storms for a century. They hoped and prayed their community of faith would live far longer into the future, worshiping, sharing their lives in faith, serving God and neighbors far and near. The church is not a building. The church is the congregation, the people gathered together to worship and serve God and others.

As the community evolves, so did our church building. We no longer come to church in horse-drawn wagons. We no longer have slaves. We no longer live in a rural farming community. Princess Anne Road has changed its circuit at least twice, and Oceana Boulevard no longer loops

directly around our building. We are no longer the crossroads between the hunt clubs at Back Bay, the courthouse, and the tiny beach village of Virginia Beach. We have lots of neighbors, some in condos, some in big houses, shopping centers, offices, and gas stations.

As the community changed, our building changed, too. We have indoor plumbing, we have electricity, and even computers. Our shut-ins can worship with us online as we stream Sunday service. Times change, and Nimmo Church has changed with them. Yet we honor our past and our building's history, and want to maintain it far into the future. Of more importance to us, and to the founders of our church, we want to preserve our congregation, living out our faith in situations our ancestors could hardly imagine. We are not a museum showcasing the past. We are a resilient, thriving community of believers.

We serve our neighbors through our community garden, our food pantry, hosting scout troops, an active youth group, men's group, women's group, Bible studies, Vacation Bible School, caregivers group, and serving with many local groups, Penn Ministries, Judeo-Christian Outreach Center, and more. We have outdoor dog-friendly, weather permitting service in our pavilion, attracting young families, and traditional Methodist worship, too, with liturgy, organ, and bell choir. We are sharing our faith. That is our mission. Even in these divisive times, we are excited to continue answering our call to be a strong, faithful congregation, serving and worshiping together, whatever changes the future brings. Our beautiful, historic building is not as important as our mission. Thank you for listening.

Clerk: Our next speaker is James Jeffrey, followed by Julian Sawyer.

Mr. Jeffrey: Good afternoon. My name is James Jeffrey. I've been a member of Nimmo United Methodist Church since 1998. About a decade ago, I was a trustee for three years, culminating in its chairmanship. For those who may be unfamiliar with the functions of church leadership, the trustees are responsible for the buildings and grounds, their upkeep and repair. I'm currently the interface between the church and the contractors we have solicited to bid on the repairs. More specifically, replacement of the siding and the oldest of our windows.

My first step was to contact an acquaintance who's also a principal at Covington Hendricks Anderson, a prominent and highly respected Virginia Beach architectural firm. My question to him was, who would you recommend to repair historic Nimmo Church? His response was immediate, and he recommended three firms. Everything I will say from here on has been provided to us in proposals by those firms he recommended or the manufacturers of the products they chose. I believe it's been said before, but I will say it again, we do not intend to change the general appearance or character of the building.

We do, however, wish to use materials that are more durable, more resilient, more energy efficient, and require less periodic maintenance. The contractors recommended vinyl siding to replace the existing beaded cedar siding, and it meets all of our desires. The R-Factor, a measurement of heat transfer for insulated vinyl, is nearly twice as efficient as beaded cedar, 2.61 versus 1.36. As importantly, the initial cost differential is staggering, $637,500 to replace the siding with beaded cedar, $117,005 for insulated vinyl.

Vinyl is low maintenance, cedar is high maintenance, which requires three distinct steps, washing, preferably with scrub brushes, caulking all the joints, and repainting every seven to ten years. Certainty vinyl siding is also self-extinguishing in the event of a fire. Cedar is not. We found similar benefits will be reaped by replacing single pane wooden sash windows with dual pane vinyl sash windows. They will appear nearly identical to the existing windows in color, style, grid and patterns, but will require far less maintenance, while providing 18 to 24 percent reduction in energy consumption.

These initial and life cycle savings will enable us to devote more funds to our programming and less to energy consumption and recurring maintenance. In short, more funds for the mission of the congregation and less for the upkeep of the building. We now exist and have, for 234-plus years, to spread the word of Christ, not to preserve a monument. A church is people, not a building. I thank you all for your attention and consideration.

Clerk: Our next speaker is Julian Sawyer, followed by Christi Lyons.

Mr. Coston: Excuse me. Excuse me, sir. We have a question for you.

Mr. Camp: Thank you, Mr. Chair. Thank you, sir. Pleasure to see you again. And again, on behalf of the commission, thank you for allowing us to come and see the church in sight a few days ago. That was very helpful. Earlier in today's testimony, I heard a figure roughly of a half million dollars, which I think correlates to two of the figures that you just referenced with regard to outside siding. My question is, because those are the only numbers in the record here today, I'd like to understand one thing about it. When you solicited bids for the siding, did you ask those who were bidding to give you both the modern and historic materials on all of the portions of the church, or, as we understand it, only a few parts, the steeple, for example, are truly part of the historic designation, that the rest of it, the supporting buildings, are just that supporting, and that we have heard that there is a greater degree of openness to allowing modern materials on those supporting buildings. Did you bid it with that in mind, that there's no question that on, let's say, the steeple area, you might have to use something original, but that there would be an option to really understand the difference on the rest of the place?

Mr. Jeffrey: The bids that we solicited were for the entire building, not just the two historic sections. That being said, we don't have a picture to see, but you all have seen the church in the picture. It's about 40% historic and 60% non-contributing based upon the elevation of the buildings. The sanctuary is three stories high, the steeple is higher, and the rest of it is one story high, hence the 60-40. But the figures that I gave today are based upon using cedar across the entire building and using vinyl across the entire building.

Mr. Camp: Thank you, and I appreciate your use of better terminology than I used. Non-contributing is the correct term. Thank you for that. So if I understand this right, in order to make repairs, the church is going to have to pay something. That's not a question. The question is a differential based on maybe using a different material. Using your rough figure of 60% or 40%, it seems to me that instead of the whole half million dollar difference, doing it all one way or all the other, that there's the potential here that 60% of it would be done with a modern material, with a blessing of the HRB, and it's the other 40% that you almost certainly would be asked to use original material. Is that basically your understanding?

Mr. Jeffrey: Hypothetically, yes. But our experience thus far with our new construction project, which we never followed through on because of what happened with COVID, and with the shed that was talked about, the garden shed, some of those areas were non-contributing, and we still had to conform with the HRB's restrictions that were primarily, or should be primarily, associated with the historic structures.

Mr. Camp: I understand. Where I'm going with this is, had the project been bid in the manner that I mentioned, one might be able to go to a review board and say, we understand that some of this is historic and some is contributing, and we would propose to treat them differently with these different materials at a certain cost difference. I appreciate your clarification of the number, sir. Thank you.

Mr. Plumlee: I have another. Mr. Jeffrey, what I would like to know, this district, is it two and a half acres or is it the full nine acres? Is the district itself smaller than the overall?

Mr. Camp: 9.95 acres is the staff report.

Mr. Plumlee: Within that nine acres, is there any intent, the church owns quite a bit of that nine acres, is that fair?

Mr. Jeffrey: Yes, that's fair to assume.

Mr. Plumlee: Okay. And is there any intent to develop that property for other uses or similar uses for that nine acres?

Mr. Jeffrey: It has been explored, but not the area adjacent to the church or the cemetery. What has been investigated is that small piece between the new Princess Anne Road and the church's parking lot.

Mr. Plumlee: The one to the south, I'm calling it south, just because of where it's oriented on this page, but it's set off by itself. That's the piece you're talking about?

Mr. Jeffrey: The piece that is parallel to Princess Anne Road as it proceeds towards Sandbridge and the church. It's now a wooded area, bordered by Princess Anne Road on one side and a sidewalk, and then it comes across where Princess Anne Road used to be to the edge of our parking lot, that area there. And it's only been exploratory in nature, and it wouldn't be commercial, because that just goes against our principles. It would be some kind of partnership with another nonprofit that meets our same values. But it's only exploratory, and we haven't committed a great deal of effort to it thus far. But for the point of, yes, maybe we would do that, but nothing in front of the church, nothing next to the cemetery.

Mr. Plumlee: Right. I was just making note at the beginning of the proceeding that council has approved development in that district. And it's not necessary for the district itself to go away to take that type of project to the city, particularly to a city that says we can't help you with funding. And you might make disappear our ability to obtain funding for our other historic sites by removing this district. I'll just lay that out there for now. But I wanted to ask you, is the sentiment to remove the district, is it unanimous among the leadership and the congregants of the church?

Mr. Jeffrey: It is unanimous among the leadership. It is not unanimous among the congregants.

Mr. Plumlee: Thank you very much for answering my questions.

Mr. Jeffrey: Any further questions?

Mr. Coston: Yes, Commissioner Byler.

Ms. Byler: Thank you, Mr. Jeffrey. I appreciate your detail. When I visited, and I was listening as well as I could to all the changes that were anticipated, should this be recommended for approval, I understood the wood would be replaced with vinyl siding and that the windows would be replaced with newer, more energy-efficient windows. And in doing so, they would lose the arch over the windows and they would become rectangular, as is in the newer building.

Mr. Jeffrey: That is one of the options. We have not decided on that definitively, but it was one of the cost-saving options. There is an arch at the top, or a radius at the top, and that could be squared off.

Ms. Byler: Yeah, okay. I understand, and I also appreciate your distinction between the congregation and the building, because I think sometimes when we use the word church, people think one or the other, but there is definitely a distinction between the building and the congregation. So thanks for pointing that out.

Clerk: Our next speaker is Julian Sawyer, followed by Christi Lyons.

Mr. Sawyer: Good afternoon. I'm Julian Sawyer. My wife Beverly and I live at 2237 General Booth Boulevard, some 1,000 feet north of Nimmo Church, where for 64 years I've been able to see the church from my front porch. I'm a retired architect. My wife is a Nimmo church member and I attend fairly regularly. Nimmo Church, the oldest surviving Methodist church in continuous use in Virginia, is built on a small triangle of land, bounded on three sides by formerly public roads, and exists today because of the Nimmo Historic District, which the church asked the city to establish in 1980.

Nimmo Historic District has determined the route of two road expansions, General Booth Boulevard and Princess Anne Road, resulting in half a million dollars in today's dollars in gifts of public land, parking, drainage, and professional services to Nimmo Church from the City of Virginia Beach. And has caused the City of Virginia Beach to heavily influence the design of three privately owned buildings worth at least 40 million dollars in today's dollars, 7-Eleven, both of them, the Crescent Condominiums and Royal Farms.

Nimmo Historic District has protected Nimmo Church better than could ever have been expected when it was created 45 years ago. Nimmo Church is a quieter, calmer setting than it has ever been. If one stands in the Nimmo Church area today and takes a 360-degree view of the surroundings, there are only two things one sees that were not there 45 years ago. The condominiums, seen through a screen of trees 600 feet away on the north side of General Booth Boulevard and outside the Nimmo Historic District, and the property fence and upper seven feet of blank brick wall and metal roof, seen through a screen of trees, of the Royal Farms gas station 300 feet away, which is in the Nimmo Historic District.

Everything else that one can see was there in 1980, except, of course, the traffic whizzing by the church on all sides. Ironically, Nimmo Church complained about the development around the Nimmo Historic District in their previous presentation to you, blaming the Historic Review Board for not doing more to protect the environment of the Nimmo Historic Church. But, later in the same presentation, Nimmo Church volunteered the information they were in discussions with non-Nimmo church parties to build on a two and a quarter acre parcel the church owns south of the existing church building, which would potentially put a building less than 90 feet from Nimmo Church, closer than any building has ever been that is not connected to Nimmo Church itself.

Sounds a lot like, do as I say, not as I do, which my mother taught me as a young boy, was bad behavior. So why are we here? Nimmo Church today consists of two primary contributing structures to the Nimmo historic district, the 1791-built sanctuary and the 1895-built steeple, and four non-contributing structures, offices and wings built in 1961, connectors from wings to steeple built in the 1980s, and a social hall built in 1993.

Nimmo Church exterior cladding is wood beaded board siding on all buildings. The species of the wood varies from building to building. The oldest building is most likely heart cypress, because that was the common building material of that time. Unsurprisingly, after decades of use, the exterior of Nimmo Church needs some maintenance. On April 23, 2024, members of the city's staff from the HRB met on site with members of Nimmo Church at Nimmo Church's request to review the maintenance issues of the building. The notes of this meeting state that after review of the maintenance issues, the city staff told Nimmo Church to have their contractor come and show the materials Nimmo Church wanted to use. Nimmo Church never acted on that request.

This was apparently the last contact Nimmo had with the HRB about maintenance to Nimmo Church itself. It should be noted that at this visit, all there observed a much deteriorated section of wood siding on the north wall of the social hall. To date, that is more than 20 months later, no attempt to even temporarily repair this deterioration has commenced. Nimmo Church now proposes, as stated in their presentation to you, to replace all the siding on Nimmo Church with modern materials, blaming the HRB for being intractable in their requirements that the siding of all the buildings be replaced with materials matching the existing ones. I would.

A few years ago, Nimmo Church brought forth an addition project to the HRB consisting of four parts. Three were additions to the wings, which apparently, from what I've learned from the HRB, contained modern materials as siding. Those were approved. The fourth addition in front of the existing building and attached to it was not approved. Nimmo Church dropped that project. The question as to what the HRB would allow for siding replacement on existing non-contributing and contributing structures of Nimmo Church has never specifically been asked of the HRB. Less than half of the wood siding on all the buildings of the church need replacing due to deterioration, or simply need to be scraped and painted and filled. The remaining wood siding is solid. Interestingly, the oldest siding, which is on the sanctuary and steeple, is in the best condition. Replacing or covering with modern materials all the wood siding on Nimmo Church, when over 50% of the existing wood siding does not need repair of any type, is analogous to repainting your entire car when you only had a small dent in the front bumper. Obviously, the less work done, the lower the cost.

Nimmo Church's only cost would replace an all wood siding on all the buildings, primary, contributing and non-contributing alike, with one modern material, vinyl siding. This cost is unknown to church members. Use of vinyl siding would destroy the architectural character of Nimmo Church, because the church's decorative features, cornice brackets, frieze boards, circular vents with coins, and heavy-frame wood windows with vaulted pediment tops, are not made in vinyl or any other modern material. And yes, replacement of all windows with vinyl is part of the proposed work, too.

No other siding repair alternatives have been studied, such as using wood selective replacement on the contributing buildings and possibly on the non-contributing buildings as well. However, Nimmo Church was recently given the raw cost of two types of siding in Hardie Board. What Nimmo Church did with this information is unknown. Nimmo Church is now attempting to sidestep this whole question by application to you to dissolve the Nimmo Historic District Agreement so Nimmo Church can do whatever they want to the church, stating that they can't wait for another application to and review by the HRB.

It should be noted again that, to date, 20 months have elapsed between the time the HRB asked to see the church's proposed materials and Nimmo Church's application to dissolve the Nimmo Historic District. So now, Nimmo Church is in a hurry? Nimmo Church's most recent financial report to members in February 2025 indicated it was more than a quarter million dollars put aside for maintenance work. This would appear to be more than adequate. There is no existential problem at Nimmo Church related to the Nimmo Historic District.

The existential problem that Nimmo Church does have is the same as all traditional denomination churches have nationally, a rapidly declining church-going population and a revised federal tax code that makes it disadvantageous for contributions to tax-exempt entities. In summary, after all the benefits to Nimmo Church from the Nimmo Historic District's existence, now Nimmo Church finds it's an absolute necessity to request the dissolution of the Nimmo Historic District, because Nimmo Church refuses to engage in dialogue with the HRB. The questions before you today are, do you support the systems of the City of Virginia Beach that they have in place to review, request, or work to the historic properties? Do you support the continued existence of historic properties under historic district designation? And do you support the volunteer members of the HRB in furtherance of this work?

Nimmo Church is the last of the historic churches in southern Virginia Beach, Old Princess Anne County, in its original exterior condition, on its original site and under the direct purview of the Planning Commission through the Nimmo Historic District. This is the one, the only, opportunity the Planning Commission will ever have to direct that Nimmo Church remain in its original condition. If the primary contributing structures of Nimmo Church are allowed to be covered in modern materials, as Nimmo Church intends, the historic value of Nimmo Church will be irreversibly destroyed, as well as the entire historic district concept. It's really simple, folks. Do you support historic buildings or not? We urge you to deny the application to dissolve the Nimmo Historic District.

Mr. Coston: Commissioner Plumlee.

Mr. Plumlee: Mr. Sawyer, how are you today?

Mr. Sawyer: Good, how are you?

Mr. Plumlee: I'm doing great. I really appreciated your presentation, but I have a lot of questions. What is the information upon which you base your statement that the church supported the designation?

Mr. Sawyer: I was told that by a leading church member at the time. He's unfortunately no longer with us.

Mr. Plumlee: It's been a while back that happened. I can understand that. But I'd just like to know the source because a lot of facts get presented, and knowing the source is very important.

Mr. Sawyer: So you want a name?

Mr. Plumlee: That'd be great.

Mr. Sawyer: John Wilson. He was a church sexton for quite some time.

Mr. Plumlee: Well, you're very unique because you're an architect, you're a neighbor, and you're a congregant. You're wearing a lot of hats. So it's a unique opportunity. Am I accurate in saying that's what you just presented? You are. I'm seeing some heads shake, but you are a congregant. Is that fair?

Mr. Sawyer: I attend fairly regularly. I am not a member.

Mr. Plumlee: I see. So are you a member of the HRB?

Mr. Sawyer: No. Although I know two of them personally.

Mr. Plumlee: Had you attended their meeting where this was considered?

Mr. Sawyer: No.

Mr. Plumlee: Had they not indicated why they were unwilling to come down and address the issue with us directly?

Mr. Sawyer: No one has told me anything, I can suppose.

Mr. Plumlee: That's fine. If you don't know, you don't know. I was most persuaded by your description of the materials needed to preserve the historic facing of the building. Can you give us some more detail on that point? Because I want to make sure I understand the specific details that you're talking about.

Mr. Sawyer: Okay. The existing sanctuary, built in 1791 and then rebuilt, allegedly rebuilt, after the Civil War, is balloon-framed. Not platform framed like houses are built today. Most likely. I don't have X-ray vision, but that's how they built them then. And the wood siding goes from the base to within about 18 inches of the top. There is then a flat board that goes all the way around the building. It's called a frieze board. It's from the Greek, but my architectural history class was

over half a century ago. Then there are wood brackets that come off the top trim to support the cornice.

These are spaced at intervals of, I don't know, four feet, six feet, whatever around the building. They're spaced much closer on the steeple, which was built the date I was given as 1897. Those brackets, that frieze board, the width of the trim, corner trim where the siding runs to the corner, and on the steeple, don't exist in vinyl siding. Or you get a wider variety in Hardie board, but if you look at a piece of Hardie board next to a piece of real wood siding, it's obviously different. Vinyl siding, you know, it's a piece of vinyl. What has been shown to the church at the meeting I attended was a 12-inch section, non-insulated, looked, you know, kind of nice from me to you, but it's still a thin piece of plastic.

And when it comes to corners, when it comes to things that it abutts, there's J beads and C beads and everything to try to keep the water out. If you try to apply vinyl siding over the existing sanctuary, you will have to take all the siding off the sanctuary, because you will need to add extra blocking between the studs in order to attach the plywood siding and then the vapor barrier to then apply the vinyl.

Mr. Plumlee: You indicated that there was some $4 million available for maintenance. Was that presented?

Mr. Sawyer: One and a quarter million, yes.

Mr. Plumlee: Say that one more time. I want to make sure I heard.

Mr. Sawyer: One and a quarter million dollars. That's what the information given to the church, the last information that my wife could find, she's a member, which was over a year ago, was one and a quarter million dollars for maintenance.

Mr. Plumlee: Thank you very much.

Mr. Anderson: Hi, how are you? To go off of Commissioner Plumlee's discussion, we've had a lot of talk back and forth about the siding and the areas of, can they rebuild the exterior of the historic part with not current, but what's there now, and then the 2000s or 1990s buildings with as they want to use vinyl or Hardie board. My question with your history and your knowledge on Hardie board, is there a pre-painted, plant-painted white Hardie board that would eliminate any future, or at least within five to 15 years of maintenance for the Hardie board, because they would not be painting it after it's installed?

Mr. Sawyer: As far as I'm aware, yes, there is a pre-painted Hardie board product that comes in essentially a rainbow of colors. The problem with Hardie board, just like vinyl siding, is you got to take everything down. I mean, you got to take the siding down. I assume there's sheathing underneath the siding on the 1960s buildings and the 1990s buildings and the 1980s buildings. I'm pretty much sure there is none on the existing sanctuary and steeple.

Mr. Anderson: Is it the case that if they are denied this application and they do fix the exterior of the church, they would have to take off a tremendous amount of existing siding and put back up as well?

Mr. Sawyers: No. Not in my opinion. The existing sanctuary and steeple are in the best shape of any of the siding that's out there.

Mr. Anderson: On the historic part?

Mr. Sawyer: That's correct. Even on the non-historic parts, my brief circumnavigation of the church and sticking a knife into various pieces of siding, because that's how you determine whether siding is solid or not, as I said, the deteriorating siding is like, I don't know, 20%, 25%. You've got to pull those boards out and stick a new one in. That can be done. Other parts of it, so you cut out a bad piece and you stick a new one in. You paint it, it's all going to look the same. There's an extra joint here or there, but nobody's going to care because old wood buildings are like that. But nobody has explored, at least as far as I know, having a contractor do it piecemeal. The way I would approach this, and I have told the church this, is you hire one guy that's a carpenter and a painter, and yeah, he replaces it piece by piece. If he needs scaffolding, he goes, get it. The cost of doing that just in profit and overhead alone is way less than hiring a large-scale construction company. It might take him a while, but the church has been there for 270-some years. It's got time.

Mr. Anderson: Okay. Thank you.

Mr. Camp: Thank you for your letter and for your testimony today. Earlier in these proceedings, I asked the question about a number that had been presented, approximately half a million dollars, and then, with one of the other speakers, talked about how they arrived at that, comparing two different numbers. My point about the whole thing was when we see a large number in the record, and we all understand that religious institutions are struggling for membership and their economics are very difficult, that leaves a certain impression. What I wanted to do was understand more clearly if that number was the whole story, or there was another way to get numbers, that perhaps would look different. I'm asking you in your expert opinion as an architect, who clearly has knowledge of historic buildings, if one were to ascertain a comparative cost on a structure such as this one, would you just ask for a bid for a single material for the whole thing? Or would you ask, perhaps for two bids, one of which is the cost to use historic materials just on the historic primary sites and some alternative on the non-contributing?

Mr. Sawyer: The way to obtain bids on any building is you prepare a set of documents with specific requirements that each bidder must respond to.

Mr. Camp: Several of us are in the construction industry. We get that part. I'm asking just about the pricing, if it's all or nothing. Generally, would you approach it that way?

Mr. Sawyer: No, you would designate what parts you want done, what way. And you would say, you know, let's say the sanctuary is A and the social hall is B. You'd say, give me a price for replacing only the deteriorated boards on the sanctuary with, you know, juniper. That's a line item. On the social hall, B, say, give me a price for replacing the deteriorated siding there with pine, because it was built with pine. And then you would say, C, if you wanted to, you would say, also, I want a price to remove all of the siding and put up Hardie board. And you make your list and you'll have some bidders say, "I'm not going through that. I'm not going to bid your project." You've got to start with a large enough list of bidders to allow for people to fall out. But there'll

be a number of people that, yeah, this is the price for this, this is the price for this, this is the price for this. It's all a matter of the estimator at the contractors, you know, making some phone calls, just like I did, to find out the cost of wood siding.

Mr. Camp: So if I could summarize, and we'll bring this to a close, there are other approaches to determining a number, and those other approaches may yield a very different number than the single figure we were presented with today as the number.

Mr. Sawyer: Absolutely.

Mr. Camp: Thank you, sir.

Mr. Coston: I think you can be seated. No more questions. Before we call the next speaker, I have a request for a five-minute break.

Mr. Camp: Mr. Chairman, is there just one more speaker? Is there another speaker?

Mr. Coston: I think there's three more speakers, aren't there? We have four more speakers. Do you want to wait until this agenda item is complete?

Mr. Coston: Yes. Okay. Then we'll wait until the agenda item is complete. Carry on.

Clerk: Our next speaker is Christi Lyons, followed by Jillian Peoples.

Ms. Lyons: Good afternoon. I'm coming to speak to you as the chair of the Virginia Beach Historic Preservation Commission. I appreciate you giving me a little time today. I rise today to respectfully oppose the proposed ordinance to remove the Nimmo United Methodist Church and its associated parcels from the Nimmo Church Historic and Cultural District. I'm sure that's no surprise to you. Nimmo United Methodist Church, built in 1791, is recognized as one of the oldest Methodist churches in continuous use in the United States. You've heard many people speak about it, its role as a Civil War hospital, the fact that it includes an 1840s balcony where enslaved African Americans once worshipped. This building is not simply a place of worship, it is also a rare and irreplaceable part of Virginia Beach's historical landscape.

The zoning overlay exists to ensure that historically significant structures retain their architectural integrity and character so that they can be experienced and understood by future generations. Removing that overlay would remove those protections and place this landmark at risk. There are only two reasonable circumstances under which a historic and cultural district designation should be removed. One, the historic resources have been destroyed, or two, when they have lost the integrity and significance that justified their designation in the first place. Neither of those conditions apply to this. Nimmo Church remains historically significant and largely intact, just as it was when the district was established 45 years ago, or more than 45 years ago.

At a recent Historic Preservation Commission meeting, several of the Nimmo congregants approached me afterwards, asking that I speak on their behalf. It appears that the congregation itself is not unanimous in supporting the removal of the historic district designation. Those congregants shared a letter sent to the congregation by church leadership suggesting that the Historic Review Board requirements were the reason for seeking removal from the district.

However, to my knowledge, no application has been submitted to the Historic Review Board for these needed repairs. Without submitting an application, there's no way to know what the HRB would actually require in order to issue a certificate of appropriateness. In other words, the board has not had the opportunity to review the project or work collaboratively with the church to find appropriate solutions.

The Secretary of the Interior's standards, the National Standards for rehabilitation, emphasize repairing historic features with like materials whenever possible and replacing them in kind when necessary. These principles are designed to ensure the repairs maintain the historic character and authenticity of a building. The historic district zoning overlay is the tool that ensures those preservation standards are followed. If that overlay is removed, there will be no mechanism to ensure that changes to the historic portion of the church respect its historic character. In fact, the request to remove these protections demonstrates exactly why they are needed. If the stewards of a landmark of this importance feel compelled to bypass the preservation process entirely, it highlights the importance of maintaining safeguards that protect the historic character of this site.

Approving this ordinance would also set a troubling precedent. I did a lot of research. I could only find three existing examples of this in the country right now of a local district. They call it self-designation of a historic district. If a historic district can remove its protection simply to avoid the preservation review process, it opens the door for other historic districts to dismantle their own protections as well. And that would weaken the entire framework of Virginia Beach's historic preservation program, one I'm very proud of. It has been recognized by the state as a model in our Commonwealth and the nation.

Nimmo Church has stood for more than two centuries. The responsibility to protect it now lies with us. I respectfully urge you to vote no on this ordinance and to preserve the Nimmo Church Historic and Cultural District for generations to come. And I would, after hearing some other speakers, urge you to look back at what the Historic Review Board did deny them. It was a very large, modern structure placed smack on the front of the building, obstructing the view of that beautiful, historic steeple and entryway. That maybe where all of this stemmed from, I don't know, but I appreciate your time and thank you for letting me come up here and speak.

Ms. Schoonover: I understand that this is very important to you. Do you all have any plans to raise some funds to help them cover the costs that they're letting us know are going to be a problem for them for these materials?

Ms. Lyons: The Historic Preservation Commission's job is not to raise funds for specific sites. However, if they were to come to one of our meetings, there are a lot of people who are very passionate, who may be able to think of some outside-of-the-box ways to help them. We're not saying we couldn't think of something, but that isn't necessarily our job. But that's not a no. That's a, it's a possibility if we all put our heads together.

Ms. Schoonover: There have been some efforts made to raise some funds in order to help cover these costs. To my knowledge, that has not been completed yet. And it's my understanding that this gentleman here has been letting us know what types of materials and so forth would be required.

Ms. Lyons: Which gentleman? I'm sorry.

Ms. Schoonover: Mr. Reed, he has been letting us know what types of materials and so forth would be required. We have been hearing from both parties.

Ms. Lyons: I believe the review board would be the people to speak to about the materials.

Ms. Schoonover: Yeah, we've just been told about them. So I'm just trying to clarify that, while this is very important, but I'm not hearing anybody saying they're going to help them cover these costs. So, yes, it's very important in many ways to maintain these properties, but if nobody's going to offer them any money and they're telling us they can't cover it, I just think we need to think about the reality of what we're asking them to do. If you're not going to offer them money, then I think we just need to think about what that means for this church.

Ms. Lyons: I just want to reiterate that we're the Preservation Commission, not the Historical Review Board, so there were totally separate entities.

Mr. Plumlee: Ms. Lyons, thank you for coming in today as the chair of the Commission. The Review Board, and there is a distinction, so we need to make sure we're clear in that. They indicated that the removal of this district threatened the entire system, is what they had put forward. Is that, that did not come from the commission. That was not specifically found by.

Ms. Lyons: No, but that's a logical statement, because their whole entire existence is being a Historical Review Board for these districts. And if there aren't any, which when the Pandora's box opens, could happen, they might not ever exist again. So I can see where that logic would fall.

Mr. Plumlee: Just, but the logic is, okay. If this is a revolving door where you can simply exit the program upon your request, we anticipate there are going to be, because they're dealing with the cost on many historic projects across the city, we are going to be getting a multitude of requests to be removed from the district designation in order to save these additional costs. That's the logic that you're putting forward.

Ms. Lyons: And I will point to something. I'm not sure which speaker spoke about how they didn't get money, but the Francis Land House and the Lynnhaven House, et cetera, those are owned by the City of Virginia Beach. So they are not a private entity, which is why the city pays for them. I just thought, maybe you guys would want to know that.

Mr. Plumlee: So I just want to make sure I understood the logic, because they were saying that it threatened the city's standing as a certified local government, which qualifies the city to receive funding to place into historic preservation programs. I just want to make sure I'm clear on that.

Ms. Lyons: That's correct.

Mr. Plumlee: Okay, thank you very much. One other question. I'm sorry. What was your question?

Ms. Schoonover: Do we know how many properties we have to have listed in order to qualify?

Ms. Lyons: I would like to phone a friend. Mr. Reed, can you speak to that? Because I do not know that specific number.

Mr. Reed: Thank you for your question. I don't believe there's a magic number for the number of historic districts a certified local government needs to have. I think that if there was removal of this zoning overlay and then additional actions that continued in that direction with other districts, that it would be concerning to the State Historic Preservation Office and to the certified local Government Office with the National Park Service, and that they could reconsider our designation.

Ms. Schoonover: Are you having a number of these groups coming to you and letting you know that they would want to exit, or are we just anticipating that possibility?

Mr. Reed: If one happens, then I expect others may take interest. Maybe not. The least of which would be the City of Virginia Beach, which Public Works Department, which owns the most properties in our historic districts.

Ms. Schoonover: Thank you.

Mr. Camp: Yes, thank you, Chair Lyons. I appreciate you being here. If I remember when I read the city's Historic Preservation Plan, which Council incorporated into the comprehensive plan in 2023, and you all worked during COVID to bring that about. It was a very long and deliberate process, burdened by your inability to meet in person, if I recall right. Am I remembering correctly that somewhere in the back of that plan, it lists a series of goals and objectives that set out sort of a forward-looking game plan for activities that the Commission might undertake, one of which incorporated historic tourism? Is that correct?

Ms. Lyons: Correct.

Mr. Camp: Is that a program that I would say is on the near-term burner?

Ms. Lyons: We're actively working on that.

Mr. Camp: And so earlier, when we heard testimony about visitors to the church and that kind of thing, the Commission is actively working on exposing our historical heritage and assets to the tourism community for greater appreciation. Is that correct?

Ms. Lyons: Yes. And we've actually had some recent events at Nimmo. Recently, the Skirmish at James Plantation commemoration was held there. So there are things that happen there.

Mr. Camp: Right. And then there's that proposal from the Active Transportation Plan to do the historic bike tour for Virginia Beach. There are a number of ways that aren't here yet, and the church hasn't seen a visitation, let alone paid visitation. But your commission is interested in pursuing this.

Ms. Lyons: Very much. Thank you.

Mr. Coston: Alright. Thank you.

Clerk: Our next speaker is Jillian Peoples, followed by Michael Garcia.

Ms. Peoples: Good morning. My name is Jillian Peoples. Commissioners, planners, thank you so much for hearing my words today. I don't have a formal presentation. I just have a few informal comments. I learned about this meeting yesterday. So I am a resident of the condominiums across from Nimmo Church. I own two units that directly face the church, and the church makes up the majestic view that greets almost every room in my home. I'm deeply attached to this structure and the continuity and the safety of its existence.

I would hope that church leaders would lean in to the historic status of the church and apply and seek help from the city or other entities to maintain the continuity and integrity of this historic structure. I believe it should be in national registries and other registries as well. I was disappointed to learn at this meeting that it's not. A simple Google search that I made yesterday for Virginia grants for historic preservation returned hundreds of results. The Virginia 250 Preservation Fund, the Threatened Sites Grant Program, Emergency Supplemental Historic Preservation Funds, Cost Share Grants, the Community History Fund.

There are so many entities that, you know, if approached with the proper applications and work, they could find money to fix this church. And I hope that church leaders would lean into that. After hearing some of the history of the church at this meeting, they would qualify for even more grants to preserve this structure. I believe that our community has a vested interest in the integrity of the church. I believe that the congregation is a living and enduring entity, but I don't believe that that entity should supersede the historical value of this community structure.

I believe they're pursuing the wrong solution. The Historic Review Board clearly may or may not approve the recommendations that they're seeking, but I agree with the Historic Review Board if they don't. While I sympathize with the annoyance of all the regulations, I read through the city ordinance. I'm sure it's a process for them to make repairs, to make adjustments to this structure. I mean, it's lengthy, but I agree with the city. I agree with the board. I think all those rules are there for a reason. And I think that we should enforce them.

You can't buy a 100-year-old tree at the nursery. We can't recreate a 200-plus-year structure in our neighborhood. This is a financial problem that needs a financial solution, so please don't approve their request to remove the historical and cultural district status. It will change our neighborhood. It'll change my property values. It'll change my view. I've already seen with the City Council does, with our area, we now have a fried chicken gas station across from another gas station next to a historic graveyard. I didn't like that. The Nimmo farmhouse is now a Starbucks.

Mr. Coston: Excuse me, ma'am. Your time has expired.

Ms. Peoples: Thank you so much. Please vote no.

Clerk: Our next speaker is Michael Garcia, followed by Beverly Sawyer. Our next speaker is Beverly Sawyer.

Ms. Sawyer: Hello, my name is Beverly Sawyer. I oppose Nimmo United Methodist Church from being released from the Nimmo Historic District. Several statements have been made as to why Nimmo Church should be released. I would like to address the concern that the congregation has

not been a part of the decision-making process to get Nimmo Church out of the Nimmo Historic District. I had requested a withdrawal of the application to give the congregation an opportunity to hear about available options other than leaving the Nimmo Historical District. However, I was told that the city attorney would not allow a withdrawal motion.

Nimmo Church's last contact with the city's historical review board was when our garden shed burned down in October 2023. The person from Nimmo Church that worked with the Historical Review Board when the church rebuilt the shed has now moved to a new position. However, he has stated that he had no problem working with the Historical Review Board. The Historical Review Board's last site visit was April 2024. No action has been taken since then by Nimmo Church to work with the Historical Review Board.

The City of Virginia Beach council person representing Nimmo Church has stated that it should be up to Nimmo Church members whether they should remain in the Nimmo Historical District. However, only a handful of church members have had input into the Nimmo Church applying to have the Nimmo Historical District dissolved. The rest of the members, remaining members, have been given carefully selected information. I believe that if the congregation was fully informed and had been given the opportunity to explore different options, such as the option that Nimmo could be repainted for a hundred years for the same price as a vinyl siding, that Nimmo Church, the congregation, that they would agree that there's no need for Nimmo Church to dissolve the Nimmo Historical District.

There's many benefits for being in the historical district. And one of them, the church has not taken advantage of. In the back of their design guidelines, we've talked about the economics. If you look in the back of their guidelines, there's all these lists of grants and materials available. And all sorts of information in the index that they have right there available for them to use. They also have the expert advice of the Nimmo Review Board at any time. Thank you very much.

Mr. Coston: Any questions? You may be seated. Thank you.

Clerk: That was our final speaker.

Mr. Coston: All right, y'all ready to discuss this thing? Open the floor for discussion or rebuttal.

Mr. Reed: Thank you, I just wanted to address a comment Mr. Plumlee made about the Historical Review Board. Our chair of the Historical Review Board did want to be here to speak. However, he was scheduled to take his daughter, who's graduating from William & Mary, on a trip to celebrate that. Thankfully, they did not go on that trip. It was scheduled to be in Jordan. They were advised by the State Department not to take it at this time. So, they did take an alternative trip. So, he's unable to be here. The deputy chair is unable to speak because of a conflict determined through the City Attorney's office. He's an architect. He works for a firm that has had contracts with the Nimmo United Methodist Church. But we do have a member of the Historical Review Board here, Jeff Coleman, if you all have any questions of the Historical Review Board.

Mr. Camp: Thank you, sir. Just a quick question. How often does the Historical Review Board meet?

Mr. Reed: They are scheduled to meet monthly. They meet the third Wednesday of the month. Occasionally, if they don't have anything, application on their agenda, then they don't meet, but they're scheduled monthly.

Mr. Camp: So, an applicant wishing to bring business before the board, there's a process to do that, to prepare in the way that the board expects to receive an application, but the board is ready every month to hear applications if there are any?

Mr. Reed: That's correct. An application received by the 10th of the month, if complete, is then placed on the Historical Review Board agenda for the following month.

Mr. Camp: Thank you, sir.

Mr. Reed: You're welcome.

Mr. Coston: Commissioner Schoonover. Okay, is there any discussion?

Mr. Camp: Do we have a motion on the table before we enter discussion? Is there a motion?

Ms. Schoonover: I'm ready to make one as soon as we're ready.

Mr. Camp: That's what I'm asking. I didn't hear it.

Mr. Coston: A couple of people, they haven't made it, but there's signaling me that they want to make a motion, but I just want to make sure there was no discussion before we went there.

Mr. Camp: I'll hold discussion until there's a motion seconded on the table.

Mr. Coston: Okay. Commissioner Schoonover?

Ms. Schoonover: I move that we approve this item.

Mr. Coston: Is there a second?

Mr. Anderson: I'd like to make an alternate motion. I'd like to propose to deny the motion as is.

Mr. Coston: Do I have a second to deny the motion?

Ms. Cuellar: Second.

Ms. Eisenberg: Just for clarification, the motion is to deny the ordinance, not to deny a motion, right?

Mr. Anderson: Yes, sorry. Yes, deny the ordinance.

Ms. Eisenberg: I just wanted to make sure since we had a motion and it was confusing. Thank you.

Mr. Coston: Okay. So we have a motion. It has been moved by Commissioner Anderson and seconded by Commissioner Cuellar, that we would deny this item. Are we ready for the vote?

Mr. Plumlee: May we have some discussion, Mr. Chair? Mr. Camp may be ahead of me in the order of addressing it, but I weigh these things and I hold my vote to the end of a hearing for an important reason. You know, I want to give myself the opportunity to change my position. When I came at this, I asked a lot of questions of Mr. Reed three months ago, however long it was, about where was the funding? Are we talking about a situation where we provided funding to this church to maintain and now they want to leave? That didn't happen. But then members of the church didn't come to the presentation. And then we thought there might be additional funding. So we put this off. I think we've had a longer consideration of this process than most of our leaders in Washington take time to consider, quite honestly. And it's important that we do that. I'm troubled by keeping you in, and I'm troubled by letting you out. You know, and I'm really grateful that Ms. Lyons came to speak and to present the information. Because I don't want to get into all the factual debates of whether there's maintenance money or whether there's insufficient maintenance money, but what there definitely is, is terrible communication in this situation. Because if the city council has granted a Royal Farms to be constructed there, I believe you will have a receptive council to allow you to develop a portion of that property if it can help you sustain your existence, particularly if it will help maintain the historic nature of your structure, which you've been entrusted with to care for in your positions. So that's why I have to vote the way that I intend to vote, which is in support of the denial. But, of course, you have another body to go to. This is just a recommendation.

Mr. Camp: Thank you. I also am going to be voting to deny the ordinance for the following reasons. One, it is inconsistent with the comprehensive plan, and that is one of our first tests for things that we are to be doing here. Number two, it appears to me from the testimony in my investigation, that the church leadership loves their church. They are diligently working toward the mission, future, and fulfilment of that church. But despite that, they have not availed themselves of all of the opportunities that currently exist within our historic district structure and approval process to achieve the things that they want to achieve. I agree with Commissioner Plumlee that, although it is outside the purview of the decision before us, I can't help but observe, as a person who has been a non-profit attorney for most of my career and a mediator, that communication could be greatly improved here. We have an architect who has extraordinary knowledge of this historic structure and how to go about pricing and contemplating repairs, who attends this church from time to time. And we have a lay board struggling to do just those things. If they were to partner together, I would think that they might be able to achieve more than what they've been able to do separately. But this is just an observation for me as a volunteer, a fellow member of our city, looking at what's happening. I don't take a 200-plus-year-old structure for granted, and I think that it bears all of this discussion and contemplation to try to reach the right result and releasing them from the historic district, in my opinion, is not that right result.

Mr. Mauch: First, I want to recognize the Historical Review Board and the Historic Preservation volunteers that sit on that, have a very specific job and it's to preserve history and to make it as historically relevant today as it was when it was built. And I appreciate that and how they go about that. I understand sometimes it creates some problems as far as escalating the cost, but it's their job and they really stick to those guidelines that they're kind of bound to follow.

This application, I think, is very strange to me and I have struggled with this one. One, it was brought to us without any context. It's brought to us by the city who then is saying that we should deny it, which is confusing in itself. There's a lot of moving pieces to it. You know, the church, I understand the financial constraints. And the only thing that's in this historic district, that's historic is the church. One good thing is that the history of that church, whether there's a designation or not, will always be there.

I really have a difficult time, as Commissioner Plumlee had said, taking something out of the historical standard. But I also have a tough time telling somebody that they can't do with their property what they want to do in the future, understanding that it was a voluntary that they had put themselves into this historical district.

And it's still difficult for me to figure out how I really want to go with this. I think one thing that's very concerning to me is that we don't have an active application or a true understanding of what the future holds for that church. And what the reasons are that we're bringing it out of a historic designation besides the fact of escalating costs in the future and current maintenance repair. But nothing has gone into the process in order to say, no, you can't do this. You have to do it a different way. And I think if there was something that had been presented to the Historical Review Board, that would have been denied recently, that City Council denied, but then they still had the opportunity to go to the circuit court. This would make it much easier for me. So I'm going to deliberate up until I push the button.

Ms. Byler: Thank you so much for all of you who spent your day here with us when you didn't need to. I really do appreciate and I listen to each one of you. This building is important to a lot of people beyond just the congregants. I understand they own it and it's very dear to them, but it's dear to our whole city and maybe even our whole country because it holds historical significance. And I understand that it's more economical to put vinyl siding on a building than it is to maintain wood.

And it's more economical to put rectangular windows instead of arched windows. But to me, the issue is about more than economics, which is a relatively short-term problem, and history is long-term. And I'm sorry for the hardships of the church. I really am, and I hope they find creative ways. I hope they find grants. I hope the ecotourism boosts them. I hope a lot of good things happen to them. And although it may sound trite, I will hold you in my prayers. So I hope good things happen, and I will support the motion and the second to deny.

Ms. Schoonover: This church is right down the street from my home, and I pass it almost every day. I think that we're all proud of the historical nature of this property. As a member of the DAR, I take a great interest in the preservation of historical property. It seems that the church will remain a valuable historical church, regardless of any historical overlay. And based on their improvement plans, whether they use the approved materials or not, it will be dramatically improved. As it is my understanding that the church requested that they be granted historical overlay, it seems reasonable that we approve their request to remove this zoning overlay, as it is becoming a burden and is preventing their ability to function, unless the cost of repairs and maintenance are covered, and so far significant figures have not successfully raised those funds, then I don't see how we can require the church to shoulder this burden. I think it should be noted that historical overlay is not

the only way to maintain or highlight historical properties in this city. I do not think the concerns of wood versus plastic are more important than survival of a church.

Mr. Coston: Any more discussion? I don't know what I'm going to do either. I guess, I'm going to make my mind up here in a second. I can remember when, before all that stuff got changed in the street, and all of that and coming to the courthouse as a child. I understand because I attended the church regularly. And since COVID, things have died down. Finances have died down. Attendance have died down. But I also see the need to keep it as a historical site. If there's no more discussion, are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote?

Ms. Hippen: To verify, the vote yes is to deny, correct?

Clerk: Correct.

Ms. Hippen: Then I vote yes.

Clerk: By a recorded vote of 8 to 3, Item 5, City of Virginia Beach, has been recommended for denial.

Mr. Coston: Okay, we're going to take a five-minute break before I start our next item.

Vote Tally

Commission Member	AYE 8	NAY 3	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover		X		
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani		X		
Mauch		X		

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #6 City of Virginia Beach
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Mr. Coston: Madam Clerk, could you call the next item for us?

Clerk: Our next item is item six, City of Virginia Beach**.**

Ms. Sabo: Good afternoon. I'm Hannah Sabo, zoning administrator for the City of Virginia Beach. This item is an ordinance to add Section 208.1 to the City Zoning Ordinance pertaining to roll-off containers in residential districts. Roll-off containers are heavy-duty trash containers that are used for large cleanup projects or construction projects. This ordinance allows these containers for a period of 30 days, and those 30 days can be broken up into chunks, so 10 days, 10 days, and 10 days, or one 30-day period in any six-month period. And then, in addition to that, if there is a property that has an active building permit, a roll-off container can be on-site for the duration of that permit, and then for 24 hours after and before that permit is issued. So that allows for properties that are under construction to be able to have those roll-off containers while they are under construction. And then if there are projects that are smaller that don't require a building permit, again, they have those 30 days within that six-month period for that roll-off container. This amendment only applies, or this restriction only applies to residential properties. And any of these roll-off containers have to comply with the rest of the city ordinances, so solid waste and city code, things like that. If you have any questions, I am available to answer them. And for reference, the Coastal Virginia Building Industry Association, CVBIA, did give their recommendation for approval for this update during the February 18th meeting of this year.

Mr. Camp: Could you please clarify the 30 days with regard to those not undertaking a construction project, those who may be landlords who do turnovers, cleanouts, and in a multifamily setting, particularly a small owner with maybe four units in their building, how this would apply to them?

Ms. Sabo: Yes. So, if for properties that are smaller, if they don't have already an area on site for commercial dumpsters, for those larger residential properties a lot of times, they do already have commercial dumpster areas in their parking lots. And so, this would apply to those that don't have that area already designated. So, if they have their roll-off container and they have their turning over properties, if they have that roll-off container for five days and they just use it for those five days, as long as it's gone, they can have a roll-off container come back. And they've only used up those five days, so they still have 25 more days left, so those 30 days can be broken up into smaller portions.

Mr. Plumlee: Zoning Administrator Sabo, thank you very much for that work. I did want to clarify. We have now been provided a copy of this revised amendment, which reestablishes, I think, the intent of the paragraph. In other words, let me straighten that out. It wasn't advertised

to the public that the proper citation of the code is 104B. However, the intent of what's stated in that paragraph is simply being carried out by referring it to 104B. Is that your understanding? I want to make sure everybody's clear on that point.

Ms. Sabo: Yes, there was a typographical error in the ordinance that was handed out initially, and you all have an updated version of that, and that's in line 42. It references section, the correct section is 104B, and that is just the section that talks about civil penalties in the process for those. It does not substantially change the ordinance at all. It was just a typographical error, referencing being correct.

Mr. Plumlee: And the intent is that there not be criminal prosecution for a violation of this particular, unlike other ordinances within our city, correct?

Ms. Sabo: That's correct. We do have some that are civil and some that are criminal. This one is a civil penalty. If that civil penalty does exceed a total of $5,000, if we keep having to come back, there is an opportunity for that to become criminal.

Mr. Plumlee: That's just punishment for flaunting the law altogether.

Ms. Sabo: Those are very extreme circumstances that we do not see very often.

Mr. Plumlee: And the other point I wanted to make, and I'm just taking advantage of you presenting this to do it, is that the intent is that it be prosecuted against both the homeowner, and if there's a renter, also the renter, is that correct?

Ms. Sabo: That's correct.

Mr. Plumlee: So, homeowners out there should be made aware that if they're going to be entering lease agreements, that their lease agreement should specify if there's zoning violations who is responsible and how that's to be dealt with, just as a housekeeping issue?

Ms. Sabo: Yes, absolutely. And that applies to all zoning violations. We can send a notice of violation to the renter and the property owner.

Mr. Plumlee: Great. Thank you very much.

Ms. Sabo: Absolutely.

Mr. Mauch: I just want to take the opportunity to say thank you from where we started until where we are today. You guys have done a lot of work and really made this into a very proper ordinance. Thank you.

Ms. Sabo: Thank you.

Mr. Coston: Are we ready for the questions? I'll make a motion that we approve if there's no other speakers. Go ahead. I'm sorry.

Mr. Plumlee: I would just like to say thanks, Anna, for working with me and other commissioners on this and working with the construction industry to get this cleaned up. Sorry to speak out of turn. Yeah, I'd make a motion that we go ahead and approve as presented with the modification of the language. I think it was 217, but it's actually 104B, which is contained in 208.1 subsection B. With that, I'd move to approve.

Mr. Anderson: I second the motion.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Anderson for approval. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen?

Ms. Hippen: I vote. yes.

Clerk: By a recorded vote of 11 to 0, item 6, City of Virginia Beach has been recommended for approval.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #7 VA OPC Land, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Clerk: Our next item is item 7, VA OPC Land, LLC.

Mr. Bourdon: Good afternoon, Mr. Chairman, members of the Planning Commission, Eddie Bourdon, Virginia Beach Attorney, representing Virginia OPC Land, LLC. That is an entity that will be purchasing the 20-acre portion of the property that you see up there, that is 30 acres in size, and their development partner is Malaski Development and Matt Conley. An officer with Malaski Development has joined us today from their Atlanta office. This is an application for modification of proffers, replacing nine proffers that were applicable to the entire 30 acres that were approved by City Council in June of 2018, with new proffers applicable to the 20 northern acres of this piece of property. In addition to the proffer modification, there's a height variance application for the structure to 64 feet 5 inches, instead of 35 feet, for the building that is staff pointed out in the informal, as Marchelle pointed out, is 325 feet away from the nearest building, surrounded by parking. Also, with me today, or with us today, is Ken Rodman with VHB. Ken, along with Karen McPherson with VHB, have done a traffic impact assessment study on this project and had previously done one on the existing zoning, but with an extension of Tolliver Lane, or Tolliver Road, back in 2019 for an application that had been filed by S.L. Nussbaum for modification to bring in that gateway to the Burton Station SGA with a potential big box retailer. That application resulted in going through the traffic impact assessment before any contracts were signed and anything was done on that. And Nussbaum was contacted not by this group, but by another group looking for a site for this facility that is one of the largest of its kind that will be built in the United States. And it's a product of the Congress and the PACT Act and taking care of our veterans. That process has gone on to the point that finally, back in October, late October, the VA announced the award of this facility to Malaski, and VAOPC Land is the entity that will be buying the piece of property. But that was a long arduous process. This site wound up, five of the proposals were on this site. There were sites in Norfolk, site in Greenbrier, that were other sites that were reviewed.

And this was the one that was the winner. And Virginia Beach is truly a winner with this development. I want to thank first of all Director Kathy Warren for her help on this, as well as other city officials, and also certainly Marchelle and Rick Lohman and his staff as well. So this is a facility, 243,800 square feet of medical in one building. It is a whole spectrum of care for veterans and their families. It includes ambulatory surgical center, outpatient surgery, expanded access to primary care. There's also an urgent care part of the services that are provided, specialty medicines, a lot of specialty medicine in these days.

All types of mental health services, dental care, audiology, radiology, PT, physical therapy, physical rehabilitation, lab work, pathology, you name it. The hours of operation will be from 7 a.m. to 7 p.m., seven days a week, but there's no overnight. It's not a hospital. It's a healthcare Virginia Beach VA Health Care Center or Virginia Beach VA Outpatient Clinic. When the award was made back in late October, November, that's likely where the press release that you all ask about in the informal may have originated.

That process, as I said, it took over five years to get the final award. And what you see in the site plan is almost entirely the basis for it is the VA Veterans Administration standards and requirements. That is 100% the case with regard to the parking question that was asked this morning. It's what VA requires. And as Commissioner Anderson mentioned, it's a fact. And Malaski has built a number of these facilities, not as large as this one. But what Mr. Anderson said is absolutely right.

Parking is in demand the entire day that the facility is open, the hours that the facility is open. Virginia Beach has one of the largest populations of active duty and retired veterans and their families of any city in the country. And our region has, if not the top, one of the top three largest populations in the country and our region of active and retired veterans and their families. And this facility is really, very much needed. When it's operational, there will be the equivalent of 622 full-time employees.

The amount of yearly wages for the full-time employees, which that alone averages, will average over $91,000 per employee. Obviously, there'll be a lot of nurses. They won't necessarily be making over $91,000. But to Mr. Camp's comments this morning, the Concord Apartments, which will be an easy, easy walk from this facility. The average salaries for nurses now are getting close to $60,000, someplace over $60,000. But that's in the neighborhood of what they'll qualify for the workforce housing in that complex, 190 apartments.

So that right in and of itself will reduce a lot of traffic, and that's going to coincide with this project, which will be two years from breaking ground in opening, and that break ground is hopefully going to be September of this year. But the annual wages from this facility and the induced jobs that come with that will be $65 million a year. That's in today's dollars. During construction, the two years of construction, there will be 93 million dollars in wages paid for this building, this facility and developing the property.

Over the course of 20 years, the increase in Virginia Beach's GDP from this project to almost two and three quarter billion with a B dollars. This is a very important project to our city and to our region. The Traffic Impact study is, and these are better questions asked for Ken and your traffic engineer, but it's less traffic, and we can't get there any other way because the road. Premium Outlets Boulevard is in the city of Norfolk, and they told us years ago the only access we could

have to Premium Outlets Boulevard on this 30 acres is where it's shown on this plan, and it's basically the backdoor service entrance.

We can't access it anywhere else south of that, so that's the way, and that's the way this was all presented. All five developers who used this site use the same access, and the same where Tolliver extended gateway into the strategic growth area and that one entrance on the far northwest corner of the property. We don't have an access to the Burton Station SGA. Burton Station Road is a nice road, but it's not large enough, can't really be made large enough without a lot of condemnation, and it's not designed to be the access into the SGA, and that is what this will be. I'll be happy to answer any questions. I will mention that Norfolk Academy is very much aware of this as they were aware of the rezoning in 2018.

Same with Virginia Wesleyan, and we've had a town hall meeting with council member Hammond on Monday night. Well attended, and nothing but praise.

Mr. Plumlee: It's nice of us to share our thoughts during the informal session to get you a little ready for those, right? I said, it's good of us to share those thoughts at the informal, so you can be prepared, right?

Mr. Bourdon: After you had to spend the last couple of hours trying to kind of keep this exactly. Mr. Malaski's got a plane to catch at five something.

Mr. Plumlee: Okay, well, he came here for a very special purpose. Okay, so we're here on an important question impacting a lot of people. And if I may ask a question and that is, why are we separating these applications? Is there something purposeful there?

Mr. Bourdon: No, I didn't want to get in the middle –

Mr. Plumlee: I just want to make sure I understood that. Because we can what is up here is 7 and not 7 and 8. I want to make sure I understand. Are we considering this in full or partially?

Mr. Coston: I think you should vote on separately, but we can talk about it.

Ms. Alcock: You can have one hearing and two separate votes.

Mr. Bourdon: It's two separate owner-operators.

Mr. Plumlee: It was just called up as item seven and not seven and eight. So I just want to make sure if we're talking about both, because I'd like to be able to talk about both and discuss them and give them an opportunity. If the applicant is fine with that, then that's okay. I think it may save some time.

Mr. Bourdon: Great. Sure. I'm happy to do that. And they're two separate applications, because the amendment to the proffers on this 20 acres replaces all the proffers, whereas the amended proffers on the 10 acres up front only changed two proffers, because all the architecture, all the buildings on the smaller commercial are the same as what was approved in 2018. So that application simply reduces, if we put the plan up there, it's just dealing with the 10 acres out on Northampton Boulevard. Tolliver shows the extension of Tolliver Road coming down from where it currently dead ends, a few yards short of the boundary line, but the right-of-way exists to the boundary line, and that would be extended down to Northampton Boulevard to provide access. Will be a T intersection with signal. The traffic impact studies, comments from Rick Lohman and his staff, we will absolutely add the additional left turn lane. That was a recommendation or a requirement from their comments, and that does not create a problem with us whatsoever.

The retail is along Northampton, is really the same retail as we had, and it's shown there in the big picture. And there's one similar to that that WPL did from 2018, and it just shows retail everywhere. But along Northampton, it really has minimal change at all, and the architecture remains the same. And the square footage originally was 250,000 of retail overall. Now the retail is down. I believe the number was, was it 40,000 or 80,000?

Mr. Plumlee: Okay. I'll save my questions about traffic for Rick. I appreciate this project. I think it's excellent. The biggest concern is obviously traffic at that corner, but I'm sure the administration's taking a careful look at that and has understood the issues that it's coming to, because it's not going to wave a magic wand and make it easier to get in and out of that intersection than what it is. But I guess we'll talk to Rick about traffic. And I'm glad you've combined the two applications. I think that was needed.

Mr. Bourdon: And like I said, Ken Rodman is here as well, who can also speak to that along with Rick. And I'm glad the Norfolk Academy community is well aware of it. Thank you.

Mr. Bourdon: Yes, they are.

Mr. Coston: Okay, we're going to hear from Commissioner Hippen first and then Commissioner Mauch.

Ms. Hippen: Hi, Mr. Bourdon. How are you doing?

Mr. Bourdon: I'm doing well. How are you, Ms. Hippen?

Ms. Hippen: I'm feeling better. I'm nursing a little bit of a cold and stuff and coughing, so I'm going to talk to you from afar. So, being the daughter of a retiree from the VA, I've been around the VA a long time, and a disabled veteran. My concern, first of all, this is a terrific project. I'm so glad to hear about this. I was, in my other life, I was hearing about this, coming to Virginia Beach and this location. I think it is an outstanding location. My concern is the fact that, I don't

know if you've ever been at this intersection here of Wesleyan Drive and the outlet mall, trying to get on the freeway. Okay, but it is hectic and I don't know if you have ever been to Hampton and left at closing time. I made the mistake of having a doctor's appointment at the Hampton VA at three o'clock, and it took me a half an hour to get out the parking lot. Okay, so this is something that I'd like you to take a real strong look at. I also traverse this way when I go to visit relatives in Jersey and Pennsylvania, because this is the way to the Chesapeake Bay Bridge Tunnel. This is a heavily traveled area. I think, Mr. Plumlee said that this morning. They wouldn't let me talk this morning, so I'm getting it in now. But this traffic at this stretch of road is what concerns me the most. But I am glad to see another VA clinic coming because I belong to the Battlefield clinic. Thank you.

Mr. Bourdon: Thank you, Ms. Hippen. I appreciate it. I will let Mr. Lowman and Mr. Rodman address those points. I will point out that with this extension of Tolliver and the light, it should help the flow through this section of road. The ability exists for those who want to be a little adventurous to go out through the back way and go up Premium Outlets Boulevard and around through the parking lot with its drive aisles, and go out to Miller Store Road and avoid it entirely.

There's also the ability to go Tolliver to Burton Station Road and go north to Miller Store, and you can go right and go through the industrial park and get to Diamond Springs Road. And obviously, if there were an accident or something here, you could go to the signaled intersection at Burton Station Road. And that same is true the other way around. If there's an accident at Burton Station Road, it's an easy turn to come and come down the extension of Tolliver.

So, there are other ways to, if there are problems, to exit the facility and not have to utilize this section of Northampton Boulevard, you can get all the way to Diamond Springs going Miller Store. You do have to take a couple of turns through the industrial park. But there are other avenues when there might be, because of accidents or whatever, a tie up. It's not a one way in and one way out.

Ms. Hippen: Thank you. I didn't, I didn't realize that. Thank you.

Mr. Bourdon: You're very welcome, Ms. Hippen.

Mr. Camp: Thank you, Mr. Chair. Thank you, Mr. Bourdon. And I also appreciate joining the discussion here. A couple of questions for you. In the site plan for both of the applications that is displayed before us here, if I understand this right, there have been some changes on some of the widths of the pedestrian walkways. Could we, and I hate doing this at these things because we start pointing and talking about colors and directions, just walk us around in a clockwise fashion, maybe from the corner of Premium Outlets in Northampton. Just do the perimeter and tell us what's the width and what connects.

Mr. Bourdon: So I'm going to try a different, I'm going to start from the far left top corner of the back, the back way, as I call it, into the upper left, if you look there, the back way off of Premium Outlets Boulevard, into the back of the medical facility. So on the Virginia Beach side, see the Premium Outlets Boulevard is entirely within the city of Norfolk. None of it is in Virginia Beach. Then that's a long story that I'm not going to get into. The health care facility will be providing an eight-foot-wide path lane, whatever the right terminology, and Mr. Camp you, you're the expert on that, but which is what was requested of us by Parks and Rec, coming down the entire frontage. There is again back to the top corner, there's a path going all the way around the top and all the way down to Tolliver. And that one I believe is eight feet, and there's also a landscape buffer in there. When you run into excess right-of-way that's in Virginia Beach that was not used for Premium Outlets Boulevard, and again, I'm not going to go down that trail, and then in along the front of the property along Northampton, the second of the two applications, it shows on here as being five feet, but that will be increased to 10 feet along the entire frontage of Northampton. In the Tolliver Road extension, there is a 10-foot trail on the west side of that road, going up to where it intersects with the existing Tolliver. And there's, as I understand it, room for that to continue on. I don't know what the size is now.

Mr. Camp: Thank you. I appreciate the tour, and I appreciate your pointing out where a change will be made from the site plan that we have before us on the Northampton frontage. In the informal session, I asked the question with regard to the pathway that is beginning, let's say, at Northampton, and curling around the top of the entire parcel. In the staff report, there is a conceptual walkway section of Burton's Crossing diagram, which specifically depicts that as a gravel crush and run path. Now, I have concern that that type of specific material may not be ADA compliant. And I see your colleague shaking his head over there. Maybe we can put this to bed if you could.

Mr. Bourdon: It will be a paved surface. It will not be crush and run.

Mr. Camp: So what we have in the packet, the drawings that may then be going on to council, that's not going to be accurate? That we're going to modify that, to say that this is a paved path? My intent is that whatever we pass up to council is ADA compliant.

Mr. Bourdon: It will be ADA compliant. That does say it's to match what's in the Lake Wright Park, but that's not Virginia Beach either. It'll will be ADA compliant.

Mr. Camp: Very good. And then, lastly, could you reaffirm that this particular path is not being dedicated to the city, and that the ongoing upkeep and care of this path will be privately borne? Is that correct?

Mr. Bourdon: Yeah, that's not, that that happens with some frequency. What does happen is there's a public pedestrian access easement over it. So, it's not dedicated as full right-of-way, but there will be a dedicated public sidewalk easement, I think, is the way, the character.

Mr. Camp: Who has the maintenance responsibility? That would depend on what the document states.

Mr. Rodman: Good afternoon, Commissioner. My name is Kenneth Rodman. I'm with VHB, 4500 Main Street, Suite 400, in Virginia Beach, Virginia, 23462. It's a six-foot path that circumnavigates the entire site internally that is intended for the rehabilitation of the veterans. The path out on Tolliver Road is within the public right-of-way and will be publicly maintained. It's 10 foot on the west side. There's a five-foot sidewalk on the right side. All that's going to be within public right-of-way and will be publicly owned and maintained with public access.

Mr. Camp: Thank you for clarifying the two categories on the site. And that completes my questioning.

Mr. Anderson: I'm not sure who can answer this. This is just because we've talked so much about traffic. Is during construction, when construction starts, how is the construction site going to be accessed? Whether it's, is Tolliver going to be built first? So, they have, can you have construction access coming off of there? Because I know, I'm pretty sure Norfolk's not going to let you come off of Premium Outlets Boulevard, you know, come in into the site for all the construction vehicles. I can't imagine that you're going to come off of Northampton Boulevard.

Mr. Rodman: No, we're not going to come off the boulevard. There will be –

Mr. Anderson: So that is just a curious question. On the construction, engines will be off the Tolliver Road stub that's there today. So, the Tolliver, you'll be coming off of that?

Mr. Bourdon: Yes. The Tolliver Road extension will not be dedicated until the health care facility is dedicated, until it's open. So, it would be the last thing to, one of the last things to get done. There'll be work being done in it, but in terms of paving and final, it'll be at the end, to two years.

Mr. Mauch: I just wanted to say, thank you for bringing this forward. I think understanding the economic impacts that it's going to provide the city pales in comparison on what it's going to provide for the community, the veteran community. So, this is much needed and I'm very excited to see it come to fruition. So, thank you.

Mr. Cromwell: Mr. Bourdon, you said at the outset it was 30 acres in total, seven and eight together?

Mr. Bourdon: Correct. What you saw up there, the big pink, that's the entirety of the property. That shows you the entirety of the property. And when we started, it just had, you know, just like in your report, it's 20 acres to the north and 10, you know, to the south.

Mr. Cromwell: Okay, because on our paperwork, it says both of them are 20 acres.

Mr. Bourdon: It says both of them are 20 acres?

Mr. Cromwell: Yes. Both are described. It says on agenda item 8, it says site size 20 acres, and agenda item 7, it says site size 20 acres.

Mr. Bourdon: It's a typo. It's a typographical error.

Mr. Cromwell: So, which one is the VA hospital, the 20 acres?

Mr. Bourdon: 20 acres.

Mr. Cromwell: And then the retail is the tenant?

Mr. Bourdon: Yes, sir.

Mr. Coston: Any further discussion? Ready for a question?

Mr. Mauch: I'll make a motion to approve.

Mr. Plumlee: I would like, if I could, I would like to hear from the traffic engineer on this particular application, because this is going to be headed to council and I think this information, it's best to put in public at the public formal hearing with regards to traffic numbers. Rick, can you tell us what you told us this morning?

Mr. Lohman: That's really not a question. So, Rick Lohman, Public Works City Traffic Engineer. So, what's the exact question?

Mr. Plumlee: It is a question. It's been a while since this morning, so I can't remember exactly. It may not be a fair question, but it's a question.

Mr. Lohman: Right. Specifically, what?

Mr. Plumlee: Well, tell us about the traffic numbers, the retail versus the reduced retail with the Veterans Administration building that's planned.

Mr. Lohman: Okay, so the original 2018 proffered plan was for 250,000 square feet of retail. And that's what Planning Commission and council approved back in 2018. That would generate just over 13,000 trips per day, new traffic to that site. The proposed, the newly proposed development would generate 11,000 trips per day. And that is based on about 240,000 square foot of hospital/medical office and 83,000 square foot of retail on the southernmost part of the property. So, the differences are, while it's 2,000 cars less a day, we still do take into account that the medical office kind of generates traffic differently, and it generates more traffic in the morning peak hour and then the afternoon peak hour. So that's all been taken into account in the study that VHB is doing for the developer.

Mr. Plumlee: And your department found it to be well-suited, given those numbers, and in terms of the intensity and the timing as well. Is that fair?

Mr. Lohman: Yes. The goal of the traffic study is to show how the roadway is going to, or how the improvements are going to mitigate the impacts of the new traffic on the existing system. So they went out and they redid all of the traffic counts because the original ones we had were back from 2019. And pre-COVID and post-COVID, you can't even compare traffic numbers really, because of the changes, you know, in driver behavior, and how we work, and how we live now. So, but they did collect traffic counts in early 2026, and those are all been put into the new study.

Mr. Plumlee: You also discussed the traffic light, a new traffic light, and what impact it would have or not have. Can you address that?

Mr. Lohman: Sure. Obviously, without this development, we wouldn't be putting a new traffic signal on Northampton Boulevard, because everybody would agree that a new traffic signal with no new need for it wouldn't be prudent because traffic does back up from the interstate, which is just to the west of the Northampton, Wesleyan Drive, Premium Outlets Boulevard. And like Mr. Bourdon said, that intersection never should have been built that way, but that's the sins of past members of Norfolk and the City of Virginia Beach. But the real problem there, like you said, is in the morning, it's westbound traffic heading towards the interstate, and in the afternoon it's in reverse, going the other way, as people are leaving work and heading back to Virginia Beach. So with that in mind, we still had to, well, the developers still had to find a way to mitigate the traffic impacts of all that new traffic coming out to Northampton Boulevard. At the new signal at Tolliver, this new traffic doesn't burden Burton Station. And it really doesn't burden Premium Outlets, except for through movements.

Mr. Plumlee: And it shouldn't create more stacking at that light?

Mr. Lohman: It shouldn't.

Mr. Plumlee: Thank you very much. I appreciate you addressing that.

Mr. Lohman: One last thing about that is the study does say that, you know, it's been a while since Norfolk and Virginia Beach probably timed the four lights, the four traffic signals together. And this project will retime Burton Station, Tolliver, Wesleyan, and Premium Outlets, and the off-ramp. The 264 off ramp that's just to the west of this to help move traffic through the area. Thank you.

Mr. Camp: Mr. Chairman, may I ask a question of Mr. Lohman? Thank you, Mr. Lohman. We can currently observe the flow of Virginia Wesleyan students, faculty, folks interested from that point of origin south of this, flowing across Northampton to the restaurants, to the services, the shops that are on the left side of Premium Outlets. It's all in Norfolk. The flow of those pedestrians

across Northampton, given the different legs of the intersection, I believe, has them crossing to the right side on the south side of Northampton, crossing Northampton at the corner of where this retail will be, and then crossing a third leg heading west toward that current destination. Even more of them are going to come here with additional retail at the shopping center. Are there any proposed changes for pedestrian safety or pedestrian flows that are part of this?

Mr. Lohman: Well, there will be a crosswalk at Northampton and Tolliver. With the new signal, we can add a crosswalk there with this development. So, the crosswalk is going to be on the west side of the intersection there because the pedestrians, if there's a push button, well, there'll be a push button there. So, when they push the button, they'll be able to go while the left turns are coming out from Tolliver Road. You've got to keep the pedestrians with the vehicles moving. Otherwise, you're going to create even more of an issue when one pedestrian comes up, pushes the button, and the whole signal goes dark for 45 to 55 seconds. Because it's a long crossing, so you have to time it for the slowest pedestrian that can cross there. So, you have to give them that amount of time. So that's why we put it with the with the left turns there. But we will have one pedestrian crosswalk at the new signal so people can walk along Northampton Boulevard and cross at Tolliver.

Mr. Camp: So, with regard to walking along Northampton, forgive me, I think I've been on almost every sidewalk in the city, but at the moment I just can't remember. On the south side of Northampton, between Wesleyan and Tolliver, is there a pedestrian facility on the south side? Well, my point is, if we have a pedestrian crosswalk there, they're going to land on a sidewalk, I hope.

Mr. Lohman: I believe there's a sidewalk there. I'm not 1,000% sure that there's a sidewalk there. But Google Maps would.

Mr. Camp: I guess my point is, if we're going to deliver, there is. Okay, so we're delivering pedestrians to a place that they're not stranded. They could then move west, on the south side of Northampton, on a sidewalk, to where they're going to go.

Mr. Lohman: Yes, and I believe we just added a sidewalk at Burton Station in Northampton. Yes. That was well celebrated in the Northampton community, and we're working on, you know, again, more crossings as you go further east on Northampton as well.

Mr. Camp: And that is really my overall point, just as this morning, we spoke a little bit about the Comprehensive Plan, the Master Transportation Plan, the Active Transportation Plan, the Western Campus overlay. All of these things come together with projects like this. Here, we have a veteran care facility, sorely needed in our region, in our city. We have a military base a mile and a half north of us, at Little Creek. We have a lot of multi-family housing, some of which is being programmed for folks, ideally to live and work right here nearby these facilities. And the ability to move among these different attractive points without necessarily moving a car around, I think, is part of the overall appeal. And so the idea of the pedestrian safety and facilities in this core of

multiple destinations, multiple points of origin, I think, speaks to how all of this comes together. And I appreciate your involvement in that.

Mr. Lohman: Sure. Thank you, sir.

Mr. Bourdon: Thank you, Mr. Chairman. Rick's comments reminded me I was going to say something. I want to thank the officials of the city of Norfolk because they have been cooperative. I've spoken to the plan director, and they have been cooperative throughout this process, and Rick had indicated that they have agreed to work on the timing of those lights, which is a very important aspect of this. So, I just want to publicly say on behalf of S.L. Nussbaum, and Malaksi we appreciate their cooperation. Thank you.

Mr. Mauch: Commissioner Mauch. I just wanted to make a motion for approval for item number seven.

Ms. Schoonover: Second.

Ms. Hippen: Second.

Mr. Mauch: Am I able to make a motion for item number eight as well at the same time?

Ms. Alcock: If we can do it separately, just with the way we have it in the system, that would be preferred.

Mr. Coston: Do we have a second?

Ms. Schoonover: Second.

Mr. Coston: Okay, it has been moved by Commissioner Mauch, seconded by Commissioner Schoonover, that we approve this item. So, we're ready for the vote.

Clerk: The vote is open. Commissioner Hippen.

Ms. Hippen: Yes.

Clerk: By a recorded vote of 11 to 0, Item 7, VA OPC Land LLC has been recommended for approval.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			

Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Proffers

Proffer 1

When the Property is developed, it shall be developed as a Veterans Affairs (VA) Community Based Outpatient Clinic at Burton Crossing substantially as shown on the exhibits entitled, "CONCEPTUAL SITE LAYOUT U.S. DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC AND BURTON CROSSING RETAIL SHOPS VIRGINIA BEACH", dated November 11, 2025, prepared by WPL; the "V.A. SITE PLAN" Applicant: Legacy Virginia Beach OPC, LLC" numbers ClO0 and A101 each dated November 11, 2025; and "V.A. Virginia Beach Outpatient Clinic Details for V.A. OPC LAND LLC Virginia Beach, VA 23455", dated 11/24/2025, prepared by VHB, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning and Community Development (hereinafter referred to as the "Conceptual Site Plans").

Proffer 2

The exterior of the 243,800 square foot V.A. Outpatient Clinic depicted on the Conceptual Site Plans shall utilize the exterior building materials, architectural features and enhancements substantially as depicted and described on the exhibits entitled "EXTERIOR ELEVATIONS" Applicant: Legacy Virginia Beach OPC, LLC numbers A104 and A105 and "RENDERING #1" Applicant: Legacy Virginia Beach OPC, LLC numbered A102 and A103, dated November 11, 2025, prepared by Gresham Smith, Architect, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning and Community Development (hereinafter the "Elevations" or "Renderings").

Proffer 3

When the Property is developed, the site landscaping and landscape amenities shall be planted, installed and maintained substantially as depicted on the proffered Conceptual Site Plans and Renderings and the freestanding sign shall be monument style and will adhere to the dimensions provided in the City's sign ordinance.

Proffer 4

The VA Outpatient Clinic as depicted and described on the Elevations and Renderings shall not exceed sixty-four feet five inches (64' 5") in height which exceeds the 35 foot height limitation in the B-2 Zoning District.

Proffer 5

When the Property is developed and the Burton Crossing Property is subdivided, the party of the second part, Grantor, shall dedicate to the Grantee those areas of right of way across the Burton Crossing Property that are necessary to extend and intersect Tolliver Road with Northampton Boulevard as depicted and described on the Exhibits entitled "Tolliver Road Extended for V.A. OPC Land LLC, Virginia Beach, VA 23455", dated 11/24/2025, prepared by VHB and as generally depicted on the Conceptual Site Plans and the party of the first part shall design, obtain Grantee's approval and construct the depicted and described Tolliver Road extension and intersection improvements with Northampton Boulevard to create a gateway to the Grantee's Burton Station S.G.A.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #8 Northampton Development, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Mr. Bourdon: Good afternoon, Mr. Chairman, members of the Planning Commission, Eddie Bourdon, Virginia Beach Attorney, representing Virginia OPC Land, LLC. That is an entity that will be purchasing the 20-acre portion of the property that you see up there, that is 30 acres in size, and their development partner is Malaski Development and Matt Conley. An officer with Malaski Development has joined us today from their Atlanta office. This is an application for modification of proffers, replacing nine proffers that were applicable to the entire 30 acres that were approved by City Council in June of 2018, with new proffers applicable to the 20 northern acres of this piece of property. In addition to the proffer modification, there's a height variance application for the structure to 64 feet 5 inches, instead of 35 feet, for the building that is staff pointed out in the informal, as Marchelle pointed out, is 325 feet away from the nearest building, surrounded by parking. Also, with me today, or with us today, is Ken Rodman with VHB. Ken, along with Karen McPherson with VHB, have done a traffic impact assessment study on this project and had previously done one on the existing zoning, but with an extension of Tolliver Lane, or Tolliver Road, back in 2019 for an application that had been filed by S.L. Nussbaum for modification to bring in that gateway to the Burton Station SGA with a potential big box retailer. That application resulted in going through the traffic impact assessment before any contracts were signed and anything was done on that. And Nussbaum was contacted not by this group, but by another group looking for a site for this facility that is one of the largest of its kind that will be built in the United States. And it's a product of the Congress and the PACT Act and taking care of our veterans. That process has gone on to the point that finally, back in October, late October, the VA announced the award of this facility to Malaski, and VAOPC Land is the entity that will be buying the piece of property. But that was a long arduous process. This site wound up, five of the proposals were on this site. There were sites in Norfolk, site in Greenbrier, that were other sites that were reviewed.

And this was the one that was the winner. And Virginia Beach is truly a winner with this development. I want to thank first of all Director Kathy Warren for her help on this, as well as other city officials, and also certainly Marchelle and Rick Lohman and his staff as well. So this is a facility, 243,800 square feet of medical in one building. It is a whole spectrum of care for veterans and their families. It includes ambulatory surgical center, outpatient surgery, expanded access to primary care. There's also an urgent care part of the services that are provided, specialty medicines, a lot of specialty medicine in these days.

All types of mental health services, dental care, audiology, radiology, PT, physical therapy, physical rehabilitation, lab work, pathology, you name it. The hours of operation will be from 7 a.m. to 7 p.m., seven days a week, but there's no overnight. It's not a hospital. It's a healthcare Virginia Beach VA Health Care Center or Virginia Beach VA Outpatient Clinic. When the award was made back in late October, November, that's likely where the press release that you all ask about in the informal may have originated.

That process, as I said, it took over five years to get the final award. And what you see in the site plan is almost entirely the basis for it is the VA Veterans Administration standards and requirements. That is 100% the case with regard to the parking question that was asked this morning. It's what VA requires. And as Commissioner Anderson mentioned, it's a fact. And Malaski has built a number of these facilities, not as large as this one. But what Mr. Anderson said is absolutely right.

Parking is in demand the entire day that the facility is open, the hours that the facility is open. Virginia Beach has one of the largest populations of active duty and retired veterans and their families of any city in the country. And our region has, if not the top, one of the top three largest populations in the country and our region of active and retired veterans and their families. And this facility is really, very much needed. When it's operational, there will be the equivalent of 622 full-time employees.

The amount of yearly wages for the full-time employees, which that alone averages, will average over $91,000 per employee. Obviously, there'll be a lot of nurses. They won't necessarily be making over $91,000. But to Mr. Camp's comments this morning, the Concord Apartments, which will be an easy, easy walk from this facility. The average salaries for nurses now are getting close to $60,000, someplace over $60,000. But that's in the neighborhood of what they'll qualify for the workforce housing in that complex, 190 apartments.

So that right in and of itself will reduce a lot of traffic, and that's going to coincide with this project, which will be two years from breaking ground in opening, and that break ground is hopefully going to be September of this year. But the annual wages from this facility and the induced jobs that come with that will be $65 million a year. That's in today's dollars. During construction, the two years of construction, there will be 93 million dollars in wages paid for this building, this facility and developing the property.

Over the course of 20 years, the increase in Virginia Beach's GDP from this project to almost two and three quarter billion with a B dollars. This is a very important project to our city and to our region. The Traffic Impact study is, and these are better questions asked for Ken and your traffic engineer, but it's less traffic, and we can't get there any other way because the road. Premium Outlets Boulevard is in the city of Norfolk, and they told us years ago the only access we could have to Premium Outlets Boulevard on this 30 acres is where it's shown on this plan, and it's basically the backdoor service entrance.

We can't access it anywhere else south of that, so that's the way, and that's the way this was all presented. All five developers who used this site use the same access, and the same where Tolliver extended gateway into the strategic growth area and that one entrance on the far northwest corner of the property. We don't have an access to the Burton Station SGA. Burton Station Road is a nice road, but it's not large enough, can't really be made large enough without a lot of condemnation, and it's not designed to be the access into the SGA, and that is what this will be. I'll be happy to answer any questions. I will mention that Norfolk Academy is very much aware of this as they were aware of the rezoning in 2018.

Same with Virginia Wesleyan, and we've had a town hall meeting with council member Hammond on Monday night. Well attended, and nothing but praise.

Mr. Plumlee: It's nice of us to share our thoughts during the informal session to get you a little ready for those, right? I said, it's good of us to share those thoughts at the informal, so you can be prepared, right?

Mr. Bourdon: After you had to spend the last couple of hours trying to kind of keep this exactly. Mr. Malaski's got a plane to catch at five something.

Mr. Plumlee: Okay, well, he came here for a very special purpose. Okay, so we're here on an important question impacting a lot of people. And if I may ask a question and that is, why are we separating these applications? Is there something purposeful there?

Mr. Bourdon: No, I didn't want to get in the middle –

Mr. Plumlee: I just want to make sure I understood that. Because we can what is up here is 7 and not 7 and 8. I want to make sure I understand. Are we considering this in full or partially?

Mr. Coston: I think you should vote on separately, but we can talk about it.

Ms. Alcock: You can have one hearing and two separate votes.

Mr. Bourdon: It's two separate owner-operators.

Mr. Plumlee: It was just called up as item seven and not seven and eight. So, I just want to make sure if we're talking about both, because I'd like to be able to talk about both and discuss them and give them an opportunity. If the applicant is fine with that, then that's okay. I think it may save some time.

Mr. Bourdon: Great. Sure. I'm happy to do that. And they're two separate applications, because the amendment to the proffers on this 20 acres replaces all the proffers, whereas the amended proffers on the 10 acres up front only changed two proffers, because all the architecture, all the buildings on the smaller commercial are the same as what was approved in 2018. So that application simply reduces, if we put the plan up there, it's just dealing with the 10 acres out on Northampton Boulevard. Tolliver shows the extension of Tolliver Road coming down from where it currently dead ends, a few yards short of the boundary line, but the right-of-way exists to the boundary line, and that would be extended down to Northampton Boulevard to provide access. Will be a T intersection with signal. The traffic impact studies, comments from Rick Lohman and his staff, we will absolutely add the additional left turn lane. That was a recommendation or a requirement from their comments, and that does not create a problem with us whatsoever.

The retail is along Northampton, is really the same retail as we had, and it's shown there in the big picture. And there's one similar to that that WPL did from 2018, and it just shows retail everywhere. But along Northampton, it really has minimal change at all, and the architecture remains the same. And the square footage originally was 250,000 of retail overall. Now the retail is down. I believe the number was, was it 40,000 or 80,000?

Mr. Plumlee: Okay. I'll save my questions about traffic for Rick. I appreciate this project. I think it's excellent. The biggest concern is obviously traffic at that corner, but I'm sure the administration's taking a careful look at that and has understood the issues that it's coming to,

because it's not going to wave a magic wand and make it easier to get in and out of that intersection than what it is. But I guess we'll talk to Rick about traffic. And I'm glad you've combined the two applications. I think that was needed.

Mr. Bourdon: And like I said, Ken Rodman is here as well, who can also speak to that along with Rick. And I'm glad the Norfolk Academy community is well aware of it. Thank you.

Mr. Bourdon: Yes, they are.

Mr. Coston: Okay, we're going to hear from Commissioner Hippen first and then Commissioner Mauch.

Ms. Hippen: Hi, Mr. Bourdon. How are you doing?

Mr. Bourdon: I'm doing well. How are you, Ms. Hippen?

Ms. Hippen: I'm feeling better. I'm nursing a little bit of a cold and stuff and coughing, so I'm going to talk to you from afar. So, being the daughter of a retiree from the VA, I've been around the VA a long time, and a disabled veteran. My concern, first of all, this is a terrific project. I'm so glad to hear about this. I was, in my other life, I was hearing about this, coming to Virginia Beach and this location. I think it is an outstanding location. My concern is the fact that, I don't know if you've ever been at this intersection here of Wesleyan Drive and the outlet mall, trying to get on the freeway. Okay, but it is hectic and I don't know if you have ever been to Hampton and left at closing time. I made the mistake of having a doctor's appointment at the Hampton VA at three o'clock, and it took me a half an hour to get out the parking lot. Okay, so this is something that I'd like you to take a real strong look at. I also traverse this way when I go to visit relatives in Jersey and Pennsylvania, because this is the way to the Chesapeake Bay Bridge Tunnel. This is a heavily traveled area. I think, Mr. Plumlee said that this morning. They wouldn't let me talk this morning, so I'm getting it in now. But this traffic at this stretch of road is what concerns me the most. But I am glad to see another VA clinic coming because I belong to the Battlefield clinic. Thank you.

Mr. Bourdon: Thank you, Ms. Hippen. I appreciate it. I will let Mr. Lowman and Mr. Rodman address those points. I will point out that with this extension of Tolliver and the light, it should help the flow through this section of road. The ability exists for those who want to be a little adventurous to go out through the back way and go up Premium Outlets Boulevard and around through the parking lot with its drive aisles, and go out to Miller Store Road and avoid it entirely.

There's also the ability to go Tolliver to Burton Station Road and go north to Miller Store, and you can go right and go through the industrial park and get to Diamond Springs Road. And obviously, if there were an accident or something here, you could go to the signaled intersection at Burton Station Road. And that same is true the other way around. If there's an accident at Burton Station Road, it's an easy turn to come and come down the extension of Tolliver.

So there are other ways to, if there are problems, to exit the facility and not have to utilize this section of Northampton Boulevard, you can get all the way to Diamond Springs going Miller Store. You do have to take a couple of turns through the industrial park. But there are other avenues

when there might be, because of accidents or whatever, a tie up. It's not a one way in and one way out.

Ms. Hippen: Thank you. I didn't, I didn't realize that. Thank you.

Mr. Bourdon: You're very welcome, Ms. Hippen.

Mr. Camp: Thank you, Mr. Chair. Thank you, Mr. Bourdon. And I also appreciate joining the discussion here. A couple of questions for you. In the site plan for both of the applications that is displayed before us here, if I understand this right, there have been some changes on some of the widths of the pedestrian walkways. Could we, and I hate doing this at these things because we start pointing and talking about colors and directions, just walk us around in a clockwise fashion, maybe from the corner of Premium Outlets in Northampton. Just do the perimeter and tell us what's the width and what connects.

Mr. Bourdon: So I'm going to try a different, I'm going to start from the far left top corner of the back, the back way, as I call it, into the upper left, if you look there, the back way off of Premium Outlets Boulevard, into the back of the medical facility. So, on the Virginia Beach side, see the Premium Outlets Boulevard is entirely within the city of Norfolk. None of it is in Virginia Beach. Then that's a long story that I'm not going to get into. The health care facility will be providing an eight-foot-wide path lane, whatever the right terminology, and Mr. Camp you, you're the expert on that, but which is what was requested of us by Parks and Rec, coming down the entire frontage. There is again back to the top corner, there's a path going all the way around the top and all the way down to Tolliver. And that one I believe is eight feet, and there's also a landscape buffer in there. When you run into excess right-of-way that's in Virginia Beach that was not used for Premium Outlets Boulevard, and again, I'm not going to go down that trail, and then in along the front of the property along Northampton, the second of the two applications, it shows on here as being five feet, but that will be increased to 10 feet along the entire frontage of Northampton. In the Tolliver Road extension, there is a 10-foot trail on the west side of that road, going up to where it intersects with the existing Tolliver. And there's, as I understand it, room for that to continue on. I don't know what the size is now.

Mr. Camp: Thank you. I appreciate the tour, and I appreciate your pointing out where a change will be made from the site plan that we have before us on the Northampton frontage. In the informal session, I asked the question with regard to the pathway that is beginning, let's say, at Northampton, and curling around the top of the entire parcel. In the staff report, there is a conceptual walkway section of Burton's Crossing diagram, which specifically depicts that as a gravel crush and run path. Now, I have concern that that type of specific material may not be ADA compliant. And I see your colleague shaking his head over there. Maybe we can put this to bed if you could.

Mr. Bourdon: It will be a paved surface. It will not be crush and run.

Mr. Camp: So, what we have in the packet, the drawings that may then be going on to council, that's not going to be accurate? That we're going to modify that, to say that this is a paved path? My intent is that whatever we pass up to council is ADA compliant.

Mr. Bourdon: It will be ADA compliant. That does say it's to match what's in the Lake Wright Park, but that's not Virginia Beach either. It'll will be ADA compliant.

Mr. Camp: Very good. And then, lastly, could you reaffirm that this particular path is not being dedicated to the city, and that the ongoing upkeep and care of this path will be privately borne? Is that correct?

Mr. Bourdon: Yeah, that's not, that that happens with some frequency. What does happen is there's a public pedestrian access easement over it. So, it's not dedicated as full right-of-way, but there will be a dedicated public sidewalk easement, I think, is the way, the character.

Mr. Camp: Who has the maintenance responsibility? That would depend on what the document states.

Mr. Rodman: Good afternoon, Commissioner. My name is Kenneth Rodman. I'm with VHB, 4500 Main Street, Suite 400, in Virginia Beach, Virginia, 23462. It's a six-foot path that circumnavigates the entire site internally that is intended for the rehabilitation of the veterans. The path out on Tolliver Road is within the public right-of-way and will be publicly maintained. It's 10 foot on the west side. There's a five-foot sidewalk on the right side. All that's going to be within public right-of-way and will be publicly owned and maintained with public access.

Mr. Camp: Thank you for clarifying the two categories on the site. And that completes my questioning.

Mr. Anderson: I'm not sure who can answer this. This is just because we've talked so much about traffic. Is during construction, when construction starts, how is the construction site going to be accessed? Whether it's, is Tolliver going to be built first? So, they have, can you have construction access coming off of there? Because I know, I'm pretty sure Norfolk's not going to let you come off of Premium Outlets Boulevard, you know, come in into the site for all the construction vehicles. I can't imagine that you're going to come off of Northampton Boulevard.

Mr. Rodman: No, we're not going to come off the boulevard. There will be –

Mr. Anderson: So that is just a curious question. On the construction, engines will be off the Tolliver Road stub that's there today. So, the Tolliver, you'll be coming off of that?

Mr. Bourdon: Yes. The Tolliver Road extension will not be dedicated until the health care facility is dedicated, until it's open. So, it would be the last thing to, one of the last things to get done. There'll be work being done in it, but in terms of paving and final, it'll be at the end, to two years.

Mr. Mauch: I just wanted to say, thank you for bringing this forward. I think understanding the economic impacts that it's going to provide the city pales in comparison on what it's going to provide for the community, the veteran community. So, this is much needed and I'm very excited to see it come to fruition. So, thank you.

Mr. Cromwell: Mr. Bourdon, you said at the outset it was 30 acres in total, seven and eight together?

Mr. Bourdon: Correct. What you saw up there, the big pink, that's the entirety of the property. That shows you the entirety of the property. And when we started, it just had, you know, just like in your report, it's 20 acres to the north and 10, you know, to the south.

Mr. Cromwell: Okay, because on our paperwork, it says both of them are 20 acres.

Mr. Bourdon: It says both of them are 20 acres?

Mr. Cromwell: Yes. Both are described. It says on agenda item 8, it says site size 20 acres, and agenda item 7, it says site size 20 acres.

Mr. Bourdon: It's a typo. It's a typographical error.

Mr. Cromwell: So, which one is the VA hospital, the 20 acres?

Mr. Bourdon: 20 acres.

Mr. Cromwell: And then the retail is the tenant?

Mr. Bourdon: Yes, sir.

Mr. Coston: Any further discussion? Ready for a question?

Mr. Mauch: I'll make a motion to approve.

Mr. Plumlee: I would like, if I could, I would like to hear from the traffic engineer on this particular application, because this is going to be headed to council and I think this information, it's best to put in public at the public formal hearing with regards to traffic numbers. Rick, can you tell us what you told us this morning?

Mr. Lohman: That's really not a question. So, Rick Lohman, Public Works City Traffic Engineer. So, what's the exact question?

Mr. Plumlee: It is a question. It's been a while since this morning, so I can't remember exactly. It may not be a fair question, but it's a question.

Mr. Lohman: Right. Specifically, what?

Mr. Plumlee: Well, tell us about the traffic numbers, the retail versus the reduced retail with the Veterans Administration building that's planned.

Mr. Lohman: Okay, so the original 2018 proffered plan was for 250,000 square feet of retail. And that's what Planning Commission and council approved back in 2018. That would generate just over 13,000 trips per day, new traffic to that site. The proposed, the newly proposed development would generate 11,000 trips per day. And that is based on about 240,000 square foot of hospital/medical office and 83,000 square foot of retail on the southernmost part of the property. So, the differences are, while it's 2,000 cars less a day, we still do take into account that the medical office kind of generates traffic differently, and it generates more traffic in the morning peak hour

and then the afternoon peak hour. So that's all been taken into account in the study that VHB is doing for the developer.

Mr. Plumlee: And your department found it to be well-suited, given those numbers, and in terms of the intensity and the timing as well. Is that fair?

Mr. Lohman: Yes. The goal of the traffic study is to show how the roadway is going to, or how the improvements are going to mitigate the impacts of the new traffic on the existing system. So, they went out and they redid all of the traffic counts because the original ones we had were back from 2019. And pre-COVID and post-COVID, you can't even compare traffic numbers really, because of the changes, you know, in driver behavior, and how we work, and how we live now. So, but they did collect traffic counts in early 2026, and those are all been put into the new study.

Mr. Plumlee: You also discussed the traffic light, a new traffic light, and what impact it would have or not have. Can you address that?

Mr. Lohman: Sure. Obviously, without this development, we wouldn't be putting a new traffic signal on Northampton Boulevard, because everybody would agree that a new traffic signal with no new need for it wouldn't be prudent because traffic does back up from the interstate, which is just to the west of the Northampton, Wesleyan Drive, Premium Outlets Boulevard. And like Mr. Bourdon said, that intersection never should have been built that way, but that's the sins of past members of Norfolk and the City of Virginia Beach. But the real problem there, like you said, is in the morning, it's westbound traffic heading towards the interstate, and in the afternoon it's in reverse, going the other way, as people are leaving work and heading back to Virginia Beach. So, with that in mind, we still had to, well, the developers still had to find a way to mitigate the traffic impacts of all that new traffic coming out to Northampton Boulevard. At the new signal at Tolliver, this new traffic doesn't burden Burton Station. And it really doesn't burden Premium Outlets, except for through movements.

Mr. Plumlee: And it shouldn't create more stacking at that light?

Mr. Lohman: It shouldn't.

Mr. Plumlee: Thank you very much. I appreciate you addressing that.

Mr. Lohman: One last thing about that is the study does say that, you know, it's been a while since Norfolk and Virginia Beach probably timed the four lights, the four traffic signals together. And this project will retime Burton Station, Tolliver, Wesleyan, and Premium Outlets, and the off-ramp. The 264 off ramp that's just to the west of this to help move traffic through the area. Thank you.

Mr. Camp: Mr. Chairman, may I ask a question of Mr. Lohman? Thank you, Mr. Lohman. We can currently observe the flow of Virginia Wesleyan students, faculty, folks interested from that point of origin south of this, flowing across Northampton to the restaurants, to the services, the shops that are on the left side of Premium Outlets. It's all in Norfolk. The flow of those pedestrians across Northampton, given the different legs of the intersection, I believe, has them crossing to the right side on the south side of Northampton, crossing Northampton at the corner of where this retail will be, and then crossing a third leg heading west toward that current destination. Even

more of them are going to come here with additional retail at the shopping center. Are there any proposed changes for pedestrian safety or pedestrian flows that are part of this?

Mr. Lohman: Well, there will be a crosswalk at Northampton and Tolliver. With the new signal, we can add a crosswalk there with this development. So, the crosswalk is going to be on the west side of the intersection there because the pedestrians, if there's a push button, well, there'll be a push button there. So, when they push the button, they'll be able to go while the left turns are coming out from Tolliver Road. You've got to keep the pedestrians with the vehicles moving. Otherwise, you're going to create even more of an issue when one pedestrian comes up, pushes the button, and the whole signal goes dark for 45 to 55 seconds. Because it's a long crossing, so you have to time it for the slowest pedestrian that can cross there. So, you have to give them that amount of time. So that's why we put it with the with the left turns there. But we will have one pedestrian crosswalk at the new signal so people can walk along Northampton Boulevard and cross at Tolliver.

Mr. Camp: S,o with regard to walking along Northampton, forgive me, I think I've been on almost every sidewalk in the city, but at the moment I just can't remember. On the south side of Northampton, between Wesleyan and Tolliver, is there a pedestrian facility on the south side? Well, my point is, if we have a pedestrian crosswalk there, they're going to land on a sidewalk, I hope.

Mr. Lohman: I believe there's a sidewalk there. I'm not 1,000% sure that there's a sidewalk there. But Google Maps would.

Mr. Camp: I guess my point is, if we're going to deliver, there is. Okay, so we're delivering pedestrians to a place that they're not stranded. They could then move west, on the south side of Northampton, on a sidewalk, to where they're going to go.

Mr. Lohman: Yes, and I believe we just added a sidewalk at Burton Station in Northampton. Yes. That was well celebrated in the Northampton community, and we're working on, you know, again, more crossings as you go further east on Northampton as well.

Mr. Camp: And that is really my overall point, just as this morning, we spoke a little bit about the Comprehensive Plan, the Master Transportation Plan, the Active Transportation Plan, the Western Campus overlay. All of these things come together with projects like this. Here, we have a veteran care facility, sorely needed in our region, in our city. We have a military base a mile and a half north of us, at Little Creek. We have a lot of multi-family housing, some of which is being programmed for folks, ideally to live and work right here nearby these facilities. And the ability to move among these different attractive points without necessarily moving a car around, I think, is part of the overall appeal. And so the idea of the pedestrian safety and facilities in this core of multiple destinations, multiple points of origin, I think, speaks to how all of this comes together. And I appreciate your involvement in that.

Mr. Lohman: Sure. Thank you, sir.

Mr. Bourdon: Thank you, Mr. Chairman. Rick's comments reminded me I was going to say something. I want to thank the officials of the city of Norfolk because they have been cooperative.

I've spoken to the plan director, and they have been cooperative throughout this process, and Rick had indicated that they have agreed to work on the timing of those lights, which is a very important aspect of this. So, I just want to publicly say on behalf of S.L. Nussbaum, and Malaksi we appreciate their cooperation. Thank you.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Mr. Mauch: If appropriate, I'll make another motion for item. I would move that we approve item number eight, with the understanding that the proposed conceptual walkway section on page 10 of our application, that it make sure that it's ADA accessible. Move to make a motion for approval.

Mr. Camp: Second.

Mr. Coston: It has been moved by Commissioner Mauch and seconded by Commissioner Camp, that we approve item eight. Ready for the question.

Clerk: The vote is open. Commissioner Hippen?

Ms. Hippen: Yes.

Clerk: By a recorded vote of 11 to 0, Item 8, Northampton Development, LLC has been recommended for approval.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Proffers

Proffer 1

Proffer numbered 1 as contained in the 2018 Proffers is hereby deleted and replaced with the following:

1. When the Property is developed, it shall be developed substantially as shown on the exhibits entitled, "CONCEPTUAL SITE LAYOUT BURTON CROSSING VIRGINIA BEACH, VIRGINIA FOR NORTHAMPTON DEVELOPMENT, LLC", dated November 11, 2025, prepared by Kimley-Horn and the rendered "CONCEPTUAL SITE LAYOUT FOR U.S. DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC AND BURTON CROSSING RETAIL SHOPS VIRGINIA BEACH, VIRGINIA", dated November 11, 2025, prepared by WPL, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning and Community Development and are incorporated herein by this reference (hereinafter referred to as the "Concept Plans").

Proffer 2

Proffer numbered 5 as contained in the 2018 Proffers is deleted and replaced with the following:

5. As depicted on the Renderings, and with the exception of those two (2) buildings designated #6 and #7 closest to the northeastern side boundary line of the Property as depicted on the Concept Plans, the buildings shall be designed to have, or appear to have, "double fronts". The back walls (i.e. northeast facing) of the two (2) buildings numbered 6 and 7 which align roughly parallel with to the northeastern side boundary line of the Property and shall incorporate the design features specified in Sections 245(a)(3) and (a)(4) of the Design Standards For Retail Establishments as set forth in the CZO. Any HV AC and similar equipment located upon the roof of any building shall be concealed from street level view as provided in Section 245(b)(2) of the above referenced Design Standards.

Proffer 3

Except as expressly amended herein, all of the proffered covenants, restrictions and conditions set forth in the 2018 Proffers are ratified, affirmed and remain binding upon the Property.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #9 & 10 Jeff Berkowitz
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: The next item on our agenda is item number nine. Is there a representative here today to speak on this item? Welcome. Please state your name for the record.

Mr. Bourdon: Thank you, Madam Secretary. For the record, Eddie Bourdon, Virginia Beach attorney, representing the applicant, who's here, Jeff Berkowitz, is nine and ten, correct?

Ms. Byler: Well, they are both on the consent agenda, but I don't know if we want them heard together or separately. Together will be fine.

Ms. Byler: Yeah, they're the same application.

Mr. Bourdon: Again, for the record, Eddie Bourdon, Virginia Beach Attorney. Appreciate all the assistance from staff, Marchelle Coleman especially. The eight conditions all are acceptable and accepted one, with a caveat, condition number six about recording a plat that arose eleventh hour because of a concern that the property may be an illegal subdivision by deed, which it's not. But I haven't been able to get all the deeds to prove that at this point. So your approval with that condition is fine. I just want to put it on the record that we're gonna have that taken care of before it gets to City Council. Thank you.

Ms. Byler: Thank you. You may be seated. Is there any opposition to this item being placed on the consent agenda? Hearing none, I have asked Commissioner Schoonover to read these items into the record.

Ms. Schoonover: The applicant, Jeff Berkowitz, requesting rezoning and a conditional use permit for a bulk storage yard at the northwest corner of London Bridge Road and Hornet Drive. This is a reasonable request and without objection, is in place on the consent agenda.

Ms. Byler: Thank you.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Ms. Byler: Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So, I have a second for the motion? It has been moved by Vice Chair, Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Conditions

1. The site shall be developed in substantial conformance to the conceptual site plan entitled, “Concept Plan Hornet Drive Rezoning”, dated 1/21/2026, prepared by VHB, which has been exhibited to the Virginia Beach City Council and is on file in the Department of Planning and Community Development.

2. The site shall be developed in substantial conformance to the conceptual landscape plan entitled, “CONCEPTUAL LANDSCAPE PLAN HORNET DRIVE STORAGE”, dated 1/7/2026, prepared by VHB, which has been exhibited to the Virginia Beah City Council and is on file in the Department of Planning and Community Development.

3. The outdoor storage materials shall not be stacked higher than the 6-foot-tall solid privacy fence.

4. The required Category VI screening surrounding the Bulk Storage Yard shall be installed and maintained for the duration of the use of the site as a Bulk Storage Yard.

5. As depicted on the Conceptual Landscape Plan, the existing wooded buffer located on the adjacent property currently satisfies the Category VI landscaping requirement for this use. In the event that the existing mature trees and vegetation on the adjacent property are removed in the future, the applicant shall install the required Category VI landscaping, including Category I plantings, along the corresponding property lines on the subject property to ensure continued compliance with the Zoning Ordinance.

6. A Subdivision Plat to legally create this parcel shall be submitted to the Department of Planning & Community Development - Development Services Center (DSC) for review, approval, and recordation prior to site plan approval and release.

7. All outdoor lights shall comply with the following:
    a. Shall be shielded to direct light and glare onto the premises, said lighting and glare shall be deflected, shaded, and focused away from all adjoining property.
    b. Lighting fixtures shall not be erected any higher than fourteen (14) feet.

8. Curb and gutter, along with a one-foot roadway widening, shall be installed along the London Bridge Road frontage as part of the site development, in accordance with the Public Works Design Standards Manual.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #11 & 12 5644 Parliament Drive, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: The next two items are items 11 and 12. Is there a representative here today to speak on this item, these items? Welcome. Please state your name again for the record.

Mr. Bourdon: Thank you, Madam Byler. Mr. Chairman, members of the commission, for the record, Eddie Bourdon, Virginia Beach attorney, representing the applicant, Nic Tolley, whose family has owned this Gym Strada since 1973, is in attendance. We greatly appreciate the work of Alexis Bailey and appreciate being on the consent agenda. The conditions of the use permit are acceptable, with the added condition that District Representative Walter Camp will read into the record. We'll also revise the plan for the proffer when it gets to council to show the same movement of the access to the Virginia Beach Trail from Parliament Drive.

Ms. Byler: Thank you, sir. You may be seated. Is there any opposition to these items being placed on the consent agenda? Hearing none, I've asked Commissioner Camp to read these into the record.

Mr. Camp: Thank you, Madam Vice Chair. Items 11 and 12 relate to property at 5644 Parliament Drive in District 1. The applicant is requesting a conditional rezoning from R-40 to conditional B-2 to expand the parking lot for the commercial facility known as Gymstrada. This is a reasonable request and without objection. We are adding a condition to move the internal connection from the Parliament Drive right-of-way to the Virginia Beach Trail right-of-way shall be located on the east side of the proposed parking lot. This is for the reason that it will not strand pedestrians in a place where they would not be able to move.

Ms. Byler: Thank you, Commissioner Camp.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Ms. Byler: Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So I have a second for the motion? It has been moved by Vice Chair Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Proffers

Proffer 1

The Properties shall be subdivided from the balance of Parcel and resubdivided with the adjacent parcels to the west to create one (1) developed parcel with the existing building and parking along with the additional vehicle parking and landscaping to be developed on the Property, substantially as depicted and described on the two (2) page exhibit entitled, "GYMSTRADA PARKING EXPANSION FOR 5644 PARLIAMENT DRIVE, LLC VIRGINIA BEACH REZONING EXHIBIT", dated 11/04/2025, rev. PLOT DATE: DECEMBER 15, 2025, prepared by WPL, copies of which have been exhibited to the Virginia Beach City Council, are on file with the Virginia Beach Department of Planning and Community Development (the "Parking Expansion Plan") and are incorporated herein by this reference.

Proffer 2

The Property zoned Conditional B-2 Community Business District may only be used for the following:

(a) Animal Hospitals, veterinary establishments, shelters and commercial kennels provided all animals shall be kept in sound proofed, air-conditioned buildings;
(b) Bakeries, confectionaries and delicatessens, provided that products prepared or processed on the premises shall be sold only at retail and only on premises;
(c) Business studios, offices and clinics;
(d) Eating and drinking establishments without drive-thru windows;
(e) Drug stores, beauty shops and other similar personal service establishments;
(f) Florists, gift shops and stationery stores;
(g) Medical and Dental offices and clinics;
(h) Financial institutions;
(i) Medical laboratories;
(j) Laboratories and establishments for the production and repair of eyeglasses, hearing aids and prosthetic devices;
(k) Museums and Art galleries;
(l) Outdoor cafes;
(m) Outdoor plazas;
(n) Personal service establishments other than those listed;
(o) Job and commercial printing;
(p) Public buildings and grounds; and
(q) Recreational facilities other than those of an outdoor nature (i.e. Indoor Recreational Facilities whether greater than 7500 square feet with a Conditional Use Permit or 7500 square feet or less as a permitted use, including ancillary parking.

Proffer 3

The Grantor, for itself and all successors or assigns holding title to the Property, shall install and maintain a Category IV Landscape Buffer along the eastern property line in the event that record title to the Property and to the immediately adjacent parcel to the east are no longer held by the Grantor herein and said adjacent property to the east remains in a Residential ("R") Zoning District.

Proffer 4

All outdoor lighting for the Property shall be shielded, deflected, shaded and focused to direct light down onto the premises and away from adjoining properties.

Proffer 5

Further conditions may be required by the Grantee during Resubdivision and/ or Site Plan review and administration of applicable City Codes by all cognizant City agencies and departments to meet all applicable City Code requirements.

Conditions

1. The site shall be developed in substantial conformance to exhibit entitled, "GYMSTRADA PARKING EXPANSION FOR 5644 PARLIAMENT DRIVE, LLC VIRGINIA BEACH REZONING EXHIBIT", dated 11/04/2025, rev. PLOT DATE: DECEMBER 15, 2025, prepared by WPL, copies of which have been exhibited to the Virginia Beach City Council, are on file with the Virginia Beach Department of Planning and Community Development.

2. Should outdoor lighting be installed for the facility, a Lighting Plan shall be provided to the Department of Planning and Community Development for review and approval. All outdoor lights shall comply with the following:
    a. Shielded to direct light and glare onto the premises, said lighting and glare shall be deflected, shaded, and focused away from all adjoining property.
    b. Lighting fixtures shall not be erected any higher than fourteen (14) feet.

3. The applicant shall obtain all necessary permits and inspections from the Department of Planning & Community Development Permits and Inspections Division.

4. Any landscaping planted along the Virginia Beach Trail right-of-way shall have a maximum mature height of 4 feet or less and shall be maintained as such.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by

the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #13 Rhema TC, LLC
Recommendation: RECOMMENDED FOR 30-DAY DEFERRAL

Discussion

Mr. Coston: The next order of business is for withdrawals and deferrals. Are there any withdrawals? Seeing none, are there any deferrals?

Mr. Moto: Good afternoon, Chair, Planning Commission. My name is Josh Moto with Rhema TC, LLC. We are application number 13, I believe, on the agenda, and we'd like to request a 30-day deferral.

Mr. Coston: Thank you. You may be seated.

Mr. Plumlee: I'll make a motion to defer item 13 for 30 days.

Mr. Anderson: Second.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Anderson that this item be added to the deferral list for today.

Clerk: The vote is open. Commissioner Hippen, your vote, please.

Ms. Hippen: Yes.

Clerk: Thank you. Chair Coston, can we get your vote?

Mr. Coston: I thought I did already.

Clerk: By a recorded vote of 11 to 0, item 13, Rhema TC, LLC has been recommended for a 30-day deferral.

Mr. Coston: Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #14 & 15 South Rosemont Storage, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: Thank you, Commissioner Camp. The next item is item 14. Is there a representative here today to speak on this item? Welcome back.

Mr. Bourdon: Would you want to do 14 and 15?

Ms. Byler: Yes.

Mr. Bourdon: Okay. Again, commission members, for the record, Eddie Bourdon, Virginia Beach Attorney, representing South Rosemont Storage, LLC, and Jonathan Spate, one of the owners, is with us this afternoon. Again appreciate these items being on the consent agenda, one of the things that came up in the informal, there are motion sensor pack lights on the back of the building, and it's in condition number three that describes that fact of the use permit, and they have to be pointed downward and no more than eight feet in height. So, all the conditions are obviously acceptable to us. Appreciate being on the consent agenda, appreciate the patience of everybody involved so we could get the extra right-of-way, dedicated or reserved.

Ms. Byler: Thank you, Attorney Bourdon. You may be seated. Is there any opposition to these items being placed on the consent agenda? Hearing none, I've asked Commissioner Moorjani to read this into the record.

Ms. Moorjani: The applicant, South Rosemont Storage LLC, is requesting to rezone a parcel of land to build a mini warehouse at 1756 South Rosemont Road in District 10. The three-story climate control self-storage facility will be 35 feet in height and have appropriate barriers to the adjoining neighborhood. I have received no objections to the proposal. This is a reasonable request and has been placed on the consent agenda.

Ms. Byler: Thank you, Commissioner Moorjani.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Ms. Byler: Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So, I have a second for the motion? It has been moved by Vice Chair, Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Proffers

Proffer 1

When the Property is developed, it shall be developed substantially as shown on the exhibits entitled, "SOUTH ROSEMONT STORAGE 1756 SOUTH ROSEMONT ROAD VIRGINIA BEACH – CONCEPT PLAN", dated April 1, 2025, REV. DATE: DEC. 31, 2025, and designated CP-1 and CP-2 ("Site Plan") and "SOUTH ROSEMONT STORAGE 1756 SOUTH ROSEMONT ROAD VIRGINIA BEACH – CONCEPT LANDSCAPE PLAN, dated April 1, 2025, REV. DATE: DEC. 31, 2025, and designated CP-3 ("Landscape Plan"), which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning and incorporated herein by this reference.

Proffer 2

The exterior of the building depicted on the Site Plan shall be substantially similar in appearance, architectural features and materials as depicted on the 2-page exhibit entitled, "NEW STORAGE FACILITY FOR SOUTH ROSEMONT STORAGE 1756 SOUTH ROSEMONT ROAD VIRGINIA BEACH", dated 03/19/25 – "EXTERIOR ELEVATIONS" Sheet A2.0 and "SCHEMATIC 3D VIEWS", Sheet A2.1, prepared by Covington Hendrix Anderson Architects, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning ("Elevations") and are incorporated herein by this reference.

Proffer 3

Grantor shall, with the approval of the six (6) property owners of the abutting homes on Lot 9 through 14 of the Brigand's Quay Subdivision, replace their existing sections of solid cedar fencing between brick columns with new matching sections of 8' solid cedar fencing and plant and maintain an evergreen buffer adjoining the existing fence line as depicted on the Landscape Plan.

Proffer 4

As depicted on the Site Plan, the access to the Property shall be solely from South Rosemont Road and there will not be any refuse dumpster on the Site. The only exterior lighting within the enclosed yard area at the rear and north side of the building shall be motion activated security lighting mounted at 8 feet above grade and shielded to direct light within the enclosed yard. As required by City Code, a Photometric Plan for all exterior lighting shall be submitted for review and approval as part of the Site Plan Review. properties.

Proffer 5

Any HVAC condensers which are located upon the roof of the building shall only be located within twenty feet (20') of the front facing wall and any HVAC condensers located outside the rear wall of the building shall be at ground level in the three (3) area(s) depicted on the Site Plan.

Proffer 6

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 department to meet all applicable City code requirements.

Conditions

1. When the Property is developed, it shall be developed substantially as shown on the exhibits entitled, SOUTH ROSEMONT STORAGE 1756 SOUTH ROSEMONT ROAD VIRGINIA BEACH – CONCEPT PLAN", dated April 1, 2025, REV. DATE: DEC. 31, 2025, and designated CP-1 and CP-2 ("Site Plan") and "SOUTH ROSEMONT STORAGE 1756 SOUTH ROSEMONT ROAD VIRGINIA BEACH – CONCEPT LANDSCAPE PLAN, dated April 1, 2025, REV. DATE: DEC. 31,

2025, and designated CP-3 (“Landscape Plan”), which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning and incorporated herein by this reference.

2. The exterior of the building depicted on the Site Plan shall be substantially similar in appearance, architectural features and materials as depicted on the 2-page exhibit entitled, “NEW STORAGE FACILITY FOR SOUTH ROSEMONT STORAGE 1756 SOUTH ROSEMONT ROAD VIRGINIA BEACH”, dated 03/19/25 – “EXTERIOR ELEVATIONS” Sheet A2.0 and “SCHEMATIC 3D VIEWS”, Sheet A2.1, prepared by Covington Hendrix Anderson Architects, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning (“Elevations”) and are incorporated herein by this reference.

3. The only exterior lighting within the enclosed yard area at the rear and north side of the building shall be motion-activated security lighting mounted at 8 feet above grade and shielded to direct light within the enclosed yard. As required by City Code, a Photometric Plan for all exterior lighting shall be submitted for review and approval as part of the Site Plan Review.

4. The storage units shall be used only for the storage of goods. The units shall not be used for office purposes, band rehearsals, residential dwellings, or any other purpose not consistent with the storage of goods.

5. There shall be no exterior (outside) storage of motorized vehicles, equipment, or materials on the property.

6. All on-site signage for the site shall meet the requirements of the City Zoning Ordinance. A separate sign permit shall be obtained from the Department of Planning & Community Development for the installation of any new signs.

7. Curb and gutter shall be installed along the full length of the edge of pavement as part of the site’s development, in accordance with the Public Works Design Standards Manual.

8. The proposed 8-foot-tall aluminium fence shall be in substantial conformance to the fence rendering entitled “TYPICAL ALUMINIUM FENCE PANEL DETAIL – 1756 S ROSEMONT ROAD CUP, dated December 31, 2026, prepared by WPL”, which has been exhibited to the Virginia Beach City Council and is on file in the Department of Planning and Community Development.

9. Parking above the maximum number of parking spaces shall only be permitted with approval by the Planning Director pursuant to Section 203(b)(9) of the Zoning Ordinance.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #16 Ann Sagle
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: The next item is item agenda item number 16. Is there a representative here to speak on this item? Welcome. Please state your name for the record.

Ms. Sagle: Yes. Good afternoon, Commissioners. My name is Ann Sagle.

Ms. Byler: Thank you. Are the conditions acceptable to you?

Ms. Sagle: Yes, they are.

Ms. Byler: Thank you. You may be seated. Is there any opposition to this item being placed on the consent agenda? Hearing none, I have asked Commissioner Camp to read it into the record.

Mr. Camp: Thank you, Madam Vice Chair. Applicant Ann Sagle is requesting at the location 1212 Candlewood Drive, her home, a conditional use permit to operate a home-based wildlife rehabilitation facility within one room. Specifically, she's proposing to rehabilitate small mammals. She's limiting the number to five or fewer. They will be housed in cages. They will be indoors at all times. There are no concerns with odors, noises, and this is an appropriate application, particularly for the setting of large 20,000-square-foot lots, well-separated from neighboring facilities. With that in mind, the motion is to be on the consent agenda.

Ms. Byler: Thank you, Commissioner Camp.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Ms. Byler: Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So I have a second for the motion? It has been moved by Vice Chair, Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Conditions

1. This Conditional Use Permit only permits rehabilitation of small mammals, weighing a maximum of 10lbs.

2. All wildlife shall be transported to the parent organization or other similar care facility for release. No wildlife shall be released on the subject property.

3. This application shall comply with all the provisions of Section 242.3 of the City Zoning Ordinance (CZO) pertaining to a Home-Based Wildlife Rehabilitation Facility.

4. The applicant shall comply with all applicable provisions established for wildlife rehabilitation by the Virginia Department of Wildlife Resources and U.S. Fish and Wildlife Service.

5. No more than five small mammals shall be housed at this property at any given time.

6. No animals shall be dropped off or picked up by the general public at this site.

7. No animals shall be transported between the hours of 10:00 p.m. and 7:00 a.m.

8. Animal waste shall be removed daily and disposed of in a lawful manner.

9. All animals shall be properly and humanely contained within cages within a designated room in the house. Animals shall not be allowed to roam freely outside of the home. If any animal does escape, the City of Virginia Beach Animal Control Department shall be notified immediately.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #17 The Runnymede Corporation
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: The next item is agenda item 17. Is there someone here to speak on this? Welcome. Please state your name for the record.

Ms. Murphy: Good afternoon, Vice Chair, Chair, members of Planning Commission and staff. For the record, my name is Lisa Murphy, and I'm a local zoning attorney here on behalf of the Runnymede Corporation. We appreciate all of staff's work on this, and especially the kind words from the Vice Chair and from Commissioner Camp. My client, too, thinks that this is a very transformative project, and they're very excited about the prospect. So, with regard to the conditions, Laine mentioned condition number six was being added, and we just add that that would be specific to the Cleveland Street entrance, which is the one that the engineers are still working on to get it right in, right out.

Ms. Byler: Okay, thank you. You may be seated. Is there any opposition to this item being placed on the consent agenda? Hearing none. I have asked Commissioner Mauch to read it into the record.

Mr. Mauch: The applicant, the Runnymede Corporation, is pursuing a conditional use permit to develop a 160-unit apartment community on a 4.7-acre parcel for an overall density of 34 units per acre. The development will include approximately 57 one-bedroom units, 75 two-bedroom units, and 28 three-bedroom units. The Western Campus Overlay District is an opt-in overlay, meaning properties may choose whether to utilize the overlay classification in addition to and not in lieu of the underlying zoning district classification. The purpose of the Pembroke's strategic growth areas to support the transition of land in the district to a central urban core with a vertical mix of uses, connected, pedestrian friendly streets and multimodal transportation options, and enhanced open space, sustainable and resilient buildings and environmental neighborhood Protection. The Western Campus Overlay District of the Pembroke SGA is intended to enhance the economic vitality and walkable character of the Western Campus District. The site is well-suited for multifamily residential given its proximity to school, transportation options and the urban core of town center. Based on the considerations, staff's recommendation for approval, as well as the Planning Commission, we find it appropriate to place it on the consent agenda. Additionally, this project is most appropriately designed in a manner that is aligned with the vision on what the city had intended when making their significant investment in this area. I move for it to be on the consent agenda.

Ms. Byler: Thank you, Commissioner Mauch.

(The following dialogue reflects the discussion to approve the minutes as a part of the consent agenda in its entirety, which may not have directly followed the above discussion in this document)

Ms. Byler: Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So I have a second for the motion? It has been moved by Vice Chair, Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee *Commissioner Plumlee abstained from Item 17	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Conditions

1. The site shall be developed in substantial conformance with the conceptual site plan titled "Witchduck and Cleveland Str. Apartments," dated [begin strikethrough] ~~February 25, 2026~~ [end strikethrough] March 5, 2026, and prepared by Cox, Kleiwer & Company, P.C, which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.

2. The multifamily residential buildings constructed on the property shall be in substantial conformance with the building elevations exhibit titled "Witchduck and Cleveland St. Apartments," dated December 17, 2025, and the renderings dated February 16, 2026, prepared by Cox, Kleiwer & Company, P.C, which have been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.

3. The site shall provide at a minimum, a total of 20 exterior bicycle parking spaces. The location of the bicycle racks shall be in substantial conformance with the locations depicted in the plan referenced in Condition 1.

4. The site shall be developed and maintained in accordance with the required street frontage and interior parking lot landscaping standards administered by the Department of Planning & Community Development.

5. The site shall be developed with a low maintenance/maintenance free earth tone color privacy fence, at a minimum height of 6 feet, in between the subject site and the neighboring light industrial property located at 234 Expressway Ct. The design and placement of the fence shall comply with the Zoning Ordinance fence requirements and be in substantial conformance with the fence location depicted in the plan referenced in Condition 1.

6. The final Cleveland Street entrance design shall be subject to the review and approval of the Virginia Beach City Traffic Engineer or their designee as a part of the site plan review process.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #18 Outer Banks Beach Buggies, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: Thank you, Commissioner Mauch. The next item on the consent agenda is item number 18. Is there a representative here to speak on this? Welcome back, Attorney Bourdon.

Mr. Bourdon: Thank you, Madam Vice Chair, Chairman. Members of the commission again. Eddie Bourdon, Virginia Beach Attorney representing Outer Banks Beach Buggies, LLC. Mr. Ken Lankford, who's the owner, had planned on being here but had to go out of state because his mother's health is not real good. But the two owners of the property, Martin Welsh and Brian Gilpin, have come down in instead. The 12 conditions, as recommended by staff, are acceptable. We appreciate Alexis's work on the application and thanks for being on the consent agenda.

Ms. Byler: Thank you. You may be seated. Is there any opposition to this item being placed on the consent agenda? Hearing none, I have asked Commissioner Cuellar to read it into the record.

Ms. Cuellar: Thank you. The applicant is requesting a conditional use permit for motor vehicle sales and rentals to rent and sell low-speed vehicles on this 12,130-square-foot B-2 Community Business District zone parcel. There are no known objections. Staff has recommended it for approval, and the commission is recommending it for the consent agenda.

Ms. Byler: Thank you, Commissioner Cuellar. Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda. Three records of minutes and items number 9, 10, 11, 12, 14, 15, 16, 17, and 18.

Mr. Coston: Thank you. Do I have a motion to approve by consent as read by the Vice Chair?

Ms. Byler: I move that these items be approved by consent.

Mr. Plumlee: If I may just add, I am abstaining from item 17, the Runnymede, for reasons set forth in the letter filed with the city attorney and the February site visit. With that, I'll second.

Mr. Coston: So I have a second for the motion? It has been moved by Vice Chair, Byler and seconded by Commissioner Plumlee. Are we ready for the vote?

Clerk: The vote is open. Commissioner Hippen, your vote, please?

Ms. Hippen: I vote yes.

Clerk: By record a vote of 11 to 0 with all aforementioned abstentions, all aforementioned minutes and items 9, 10, 11, 12, 14, 15, 16, 17, and 18 have been recommended for approval by consent.

Mr. Coston: Thank you. If you had an application that was on the consent agenda, your request would now be scheduled in an upcoming city council meeting. Staff will contact you about the date. For those applicants on the consent agenda, thank you for your participation. You may remain in the meeting either virtually or in person, but you are free to leave. Thank you.

Vote Tally

Commission Member	AYE 11	NAY 0	ABS 0	ABSENT 0
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Conditions

1. No vehicles for sale or rental shall be parked outside of the designated display areas, and display area landscaping shall be depicted as shown on the site layout entitled “Outer Banks Beach Buggies Landscape Planter & Golf Cart Display Locations”, dated February 4, 2026 which has been exhibited and is on file with the Department of Planning & Community Development.

2. The sale and rental of vehicles on the site shall only include low-speed vehicles.

3. The hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday and from 9:00 a.m. to 2:00 p.m. on Saturday.

4. No parking of any vehicles shall be permitted within the right-of-way.

5. All vehicles for sale or rental shall be located on a paved surface. No vehicles shall be displayed on raised platforms, earthen berms, landscape islands, or any other structure designated to display a vehicle higher than the elevation of the main parking lot.

6. Vehicles in a state of obvious disrepair shall not be stored outside of the building.

7. Vehicles for sale or rental shall not be used for test drive through surrounding residential neighborhoods.

8. There shall be no storage of tires, equipment, parts or debris of any kind outside of the building.

9. No outside paging or amplified music system shall be permitted.

10. There shall be no test driving of vehicles on the site.

11. Any on-site signage for the establishment shall meet the requirements of the City Zoning Ordinance, and there shall be no neon, electronic display or similar signage installed on the exterior of the building or in any window, or on the doors. Window signage shall not be permitted. A separate sign permit shall be obtained from the Department of Planning & Community Development for the installation of any new signs.

12. The applicant shall obtain a Certificate of Occupancy for the change of use from the Permits and Inspections division of the Department of Planning & Community Development if one is required after their review before the business license is issued.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #19 21st Street Properties, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Clerk: Our next item is item 19, 21st Street Properties, LLC.

Mr. Bourdon: For the record, Eddie Bourdon, Virginia Beach Attorney representing the applicant, 21st Street Properties. And this is the proposed Beach House mixed use development on Pacific Avenue, between 21st Street to the south and 22nd Street to the north. On 60,000 square feet of 10 assembled parcels. The requests are for Alternative compliance for the height of the building. The building in this OR District on this street frontage has a 75-foot height limit, but a 90-foot limit with the Optional Form, and we are requesting 110 feet in height. The building itself is, I characterize it as being eight stories. The units, 14 of the units on the eighth floor have lofts on the ninth floor, but there's no ninth floor access. There's not a, there's just, it's an eight, it's a loft, which gives it the height.

The other Alternative Compliance is on 22nd Street, which is a more residential street along there now anyway. I think that'll probably stay that way, pretty much with some of the developments that occurred on the 22nd Street, a little couple blocks west, going out. It's been, a lot of it's been redeveloped by Miller and companies and some others. So we've got six townhomes that are attached. They're part of the building, but they're from the street. They have walk-ups, and they're two stories, and they technically need Alternative Compliance because of it being residential on the first floor and it's two stories, first and second floor, so that's the alternative compliance.

And there's an encroachment application. The eight-foot sidewalk on 22nd Street, the bottom step, because there is there's three feet of difference in grade on this piece of property, just about, and that first step is, you know, a number of inches into that eight-foot sidewalk. And that's an encroachment application as well. But those are the, those are the Alternative compliance requests that are before you on this, again, 1.38-acre piece of property. 131 condominium units for sale. The, there will be, and I think it's in the staff report, there will be in the condominium declaration, a prohibition of Short Term Rentals. This is intended to be for the residents, and obviously it leases for long-term leases, but that's what this is all about. The thing that was not mentioned is not the write up, that I can assure you that the folks in the PDRC and the folks are the Oceanfront and City for that matter are very happy about, is my client is actually going to be dedicating another lane 15 feet along with the entire frontage of the specific avenue. So that will help to alleviate the mess that exists during a good deal of the summer, especially late in the afternoons. People being able to get out will be able to have a dedicated left-hand turn lane on northbound Pacific Avenue and the southbound will shift over. There'll be two lanes going south as there are now, but there'll be three with that additional dedicated turn lane at the light on turning west onto 22nd Street.

So that is a dedication of the right-of-way to the City of Virginia Beach, and that's a part of this. And then there'll be a 12-foot sidewalk and verge along Pacific Avenue as well. This is

recommended for approval. The other thing I think that's in there that needs to be clear is that the ground floor is, with the exception of the parking garage and the six units on 22nd Street, restaurant and retail, and it's basically a loft. It's the first and second floors. There's not a second floor, but they're high ceiling, basically. And realistically, the PDRC was very happy with this, was recommending unanimously staff's recommendation. I can talk longer, but I don't know that it serves a great deal of purpose when I've always been told when something's sold, sit down and shut up. So unless you all have questions, I'd just assume not talking.

Mr. Plumlee: I want to make sure I don't have any conflict of interest. And I'm not saying, is there a list of all these property owners or is this just the applicant for the construction? Is this a contingent arrangement? I don't know. I see, I checked for conflicts with them. 21st Street Properties, LLC. There was nothing that came back. Is that the owner of all these parcels?

Mr. Bourdon: Yeah, 21st Street will be the, they own, well, Tony Schmidt, who's here, owns three of the properties, and the rest are owned by Mr. Viglia, and it's being land leased for 100 year? 99 years. It's a 99-year land lease for the rest of the property and loan commitments already in hand. The site plan is ready to go.

Mr. Plumlee: Well, so is there an interested party that is not on the disclosure? That's on the disclosure statement. That's my point.

Mr. Bourdon: No, there's no one not on the disclosure statement.

Mr. Plumlee: Okay, then it cleared my comments.

Mr. Bourdon: The entity is Mr. Schmidt's entity, and he's on the disclosure.

Mr. Plumlee: Okay. I just wanted to clear that up before I asked you questions. I got further into the muck of it. So this Cox design, has this been used at other locations? Because I like this project, but I want to, what I know is we're beginning to map this dense area, this design will influence future designs. Okay. So I'd kind of like to hear a little bit from them about the choice of design, what they've seen.

Mr. Bourdon: Joshua Lassiter has been here all day, and I neglected to introduce him, and that's on me. I'm going to let Joshua with Cox, Kliewer, and Gray Mason, along with Joshua, the designers of the building. But Gray's on a spring break trip. But Josh has been involved from day one. It's better to answer that.

Mr. Lassiter: Josh Lassiter from Cox Kliewer, Architecture Design. So, yes, the design Tony has always been interested in a contemporary, like, coastal feel. And so that was the aesthetic approach we took. So you will find this, our material palette and whatnot, very traditional for Virginia Beach. You'll see this all around town in our residential communities, which is this is what this is as well. So does that answer your question?

Mr. Plumlee: Well, have you had this? You've seen this in other communities, other seashore communities, this particular design, is really the question?

Mr. Lassiter: This particular use group, this model for a condominium complex, yes, parking, retail, yes, it is very popular in some emerging coastal communities.

Mr. Plumlee: And the Resort Advisory Commission was presented this design and reviewed it and approved it. Is that fair?

Mr. Lassiter: They did.

Mr. Plumlee: Okay. I appreciate that. Thank you.

Mr. Cromwell: What can you tell me about the fourth floor?

Mr. Lassiter: The fourth floor has an interior courtyard. We have a pool. You guys probably have it on your handouts, I think, right? Oh, yes, it's on the screen now.

Mr. Bourdon: It's got a clubhouse and it's got a yoga, gymnasium, workout room. And it's got a pool deck. It'll have grills where people can grill out and lounge chairs. It's an outdoor recreation, outdoor amenity space, better way to put it, recreation if you're swimming.

Mr. Cromwell: Where is it situated? Is it looking west? The back of it, the open end, is it looking west?

Mr. Bourdon: Yes.

Mr. Cromwell: Okay. Thank you.

Mr. Coston: Commissioner Camp.

Mr. Camp: I'm also confused on the, we had just seen a prior picture. Maybe we could display that again. Thank you. Which street is in front of the building here?

Mr. Bourdon: That is the view from 22nd Street. It's in the smaller print on the slide. Pacific would be to your left and the entrance and exit would be to your right to the west.

Mr. Camp: So, 22nd Street, isn't 22nd Street a one-way street going west?

Mr. Lassiter: Yes .

Mr. Camp: Then why are the cars turning left the wrong way on the one-way street? I mean, this is what confused me.

Mr. Bourdon: They got two-way traffic on that street. They did the graphics.

Mr. Camp: Okay. You guys know whoever did the graphics. I'm just a volunteer sitting here looking at this thing. Alright. Thank you. So when it gets to Council, maybe we'll have the cars go the right way on the road. Alright. Thank you, gentlemen.

Mr. Coston: Any discussion? Motion?

Mr. Anderson: I'd like to make a motion to approve the project.

Mr. Plumlee: I'll second it, and I wouldn't mind making a statement since this is my district. I just want to pass on my thinking about it. That's okay. You know, I think there was a real chance that this would have been put on the consent agenda, but this is going to be new to our area. It's going to be a change that's coming. I want people to know it and to give them an opportunity to see it and to hear us discuss it. I personally like the design and the plan and how it's going forward. I like the density and I will say, and I will ask Mike to consider this as part of his motion. I want it stated that there will not be Short Term Rentals at this location, and I want that as part of this. If it's not an express condition, I'd like to have that, if that's possible.

Mr. Coston: Will you accept that, sir?

Mr. Anderson: I can clarify it. I can clarify my motion, revise it.

Clerk: Are you seeking to revise with a recommended proffer?

Mr. Plumlee: Yes. If that's accepted, because it was offered, and I'd like it just added, so it goes to council with it, if it's appropriate.

Mr. Bourdon: If I could, I think the way to do it would be, or a way to do it anyway, is that you can add a condition to the alternative compliance that the condominium declaration will include a prohibition of short-term rental usage for any of the units.

Mr. Plumlee: I'm fine with that if Mike's is fine with that. Eddie, can you say that slowly?

Clerk: No, he can just amend his motion to accept the change.

Mr. Anderson: I'd like to amend the motion for approval on the agenda item with the added verbiage of the declarations having the ability of no short-term rentals.

Mr. Plumlee: I'll amend my second.

Mr. Coston: Okay, it has been moved by Commissioner Anderson and seconded by Commissioner Plumlee to approve item 19.

Clerk: The vote is open. Commissioner Hippen?

Ms. Hippen: Yes.

Clerk: By a recorded vote of 10 to 1, Item 19, 21st Street Properties LLC has been recommended for approval.

Vote Tally

Commission Member	AYE 10	NAY 1	ABS 0	ABSENT 0
Camp	X			
Cromwell		X		
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Conditions

1. The site shall be developed in substantial conformance with the submitted concept site plan, floor plan, and architectural elevations, entitled “Beach House”, prepared by Cox, Kliewer & Company, P.C., and dated December 5, 2025, which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning & Community Development. All 131 units shall be developed as presented in the conceptual floor plans in regard to the bedroom/unit breakdown and floor area.
2. The site shall be developed in substantial conformance with the submitted concept landscape plan, entitled “Beach House Mixed-Use Development, Landscape Plan”, prepared by Timmons Group, and dated August 28, 2025, which has been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning & Community Development. However, final approval of specific planting species shall be subject to the Development Service Center’s Landscape Architect.
3. An approved Outdoor Café Franchise Agreement from the City of Virginia Beach Resort Management Office will be required prior to the approval of the construction or operation of the Outdoor Seating Area depicted on the submitted concept plan.
4. An approved Encroachment Agreement from the City Council will be required prior to the approval of the displayed townhouse stairs which are shown encroaching into the City right-of-way.
5. Approval from the City of Virginia Beach Department of Public Works is required for the design of the parking structure, and the placement of proposed loading zones prior to the issuance of site plan approval. The applicant shall comply with all comments generated through the site plan approval process.
6. If developed in accordance with this Alternative Compliance request and the plans referenced in conditions #1 and #2, the overall density of this project is limited to 131 condominium units.

7. The site development shall comply with all conditions placed as part of the 2024-2025 RFP process pertaining to the historic structure at 302 22nd Street.
8. The on-street parking shown in the City right-of-way on 22nd Street shall not be used or designated as required parking for any private use, and shall remain available to the public at all hours.
9. The condominium declaration for the property, if developed in accordance with this Alternative Compliance, shall include a provision prohibiting the use of the property, or any portion thereof, for Short Term Rentals.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Closed Session, 5:00 P.M.

Motion to Recess to Closed Session

Discussion

Mr. Coston: The chair will entertain a motion to recess into a closed session pursuant to the exemptions from open meetings allowed by section 2.2-3711a, Code of Virginia as amended for the following purpose. Security matters, discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities, and briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken to respond to such matters as a related threat to public safety. Discussion of information excluded from this chapter.

Ms. Byler: I move we recess to closed session for the matter of discussing security.

Mr. Plumlee: Second.

Ms. Alcock: And Chair, we'll have to do a verbal vote for that.

Mr. Coston: It's been moved by Commissioner Mauch and seconded by Commissioner Byler. Wait for the clerk to call your name, please. We'll start from the beginning.

Clerk: Commissioner Mauch.

Mr. Mauch: Aye.

Clerk: Commissioner Camp.

Mr. Camp: Aye.

Clerk: Commissioner Cromwell.

Mr. Cromwell: Aye.

Clerk: Commissioner Anderson.

Mr. Anderson: Aye.

Clerk: Vice Chair Byler.

Ms. Byler: Aye.

Clerk: Chair Coston.

Mr. Coston: Aye.

Clerk: Commissioner Cuellar.

Ms. Cuellar: Aye.

Clerk: Commissioner Schoonover.

Ms. Schoonover: Aye.

Clerk: Commissioner Plumlee.

Mr. Plumlee: Aye.

Clerk: Commissioner Moorjani.

Ms. Moorjani: Aye.

Vote Tally

Commission Member	AYE 10	NAY 0	ABS 0	ABSENT 1
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen				X
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Virginia Beach Planning Commission March 11, 2026
City Council Chambers
Closed Session, 5:00 P.M.

Motion to Certify Closed Session

Discussion

Ms. Byler: I made that motion, but I feel very secure. I'm not insecure.

Mr. Coston: You go over the safety measures or our own personal safety while we're in this building. And that has been the extent of what we have talked about.

Clerk: So, if we can do a motion in a second.

Mr. Coston: Then we'll do a verbal vote to certify the closed session, to certify that we only discussed what was presented to the public outside of the topic.

Mr. Mauch: Second.

Clerk: Mr. Mauch.

Mr. Mauch: Aye.

Clerk: Mr. Camp.

Mr. Camp: Aye.

Clerk: Mr. Cromwell.

Mr. Cromwell: Aye.

Clerk: Mr. Anderson.

Mr. Anderson: Aye.

Clerk: Vice Chair Byler.

Ms. Byler: Aye.

Clerk: Chair Coston.

Mr. Coston: Aye.

Clerk: Ms. Cuellar.

Ms. Cuellar: Aye.

Clerk: Ms. Schoonover.

Ms. Schoonover: Aye.

Clerk: Mr. Plumlee.

Mr. Plumlee: Aye.

Clerk: Ms. Moorjani.

Ms. Moorjani: Aye.

Mr. Coston: We're done.

Vote Tally

Commission Member	AYE 10	NAY 0	ABS 0	ABSENT 1
Camp	X			
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee	X			
Hippen				X
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			