Virginia Beach Planning Commission October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Intro & Minutes Approval

Discussion

Mr. Coston: My name is John Coston, and I'm the chair of the Virginia Beach Planning Commission. Commissioner Cuellar will not be with us today. Before we get started, I have asked Commissioner Mauch to lead us in 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 the city attorney, followed by the planning administrator, Ms. Kaitlen Alcock, who will introduce members of staff.

Ms. Eisenberg: Tori Eisenberg, Deputy City Attorney.

Mr. Mauch: Michael Mauch, I have the pleasure of serving the city as the at-large representative.

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

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

Mr. Anderson: Hi, Mike Anderson, representing District 3.

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

Mr. Coston: John Coston, District 9.

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. Hippen: Susan Hippen, District 7, Centerville, Glenwood.

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 Walsh, Deputy

Director Carrie Bookholt, our Zoning Administrator, Hannah Sabo. With our planning staff, we have Marchelle Coleman, Alexis Bailey, and Arianna Low.

Mr. Coston: Thank you very much, Madam Clerk. Can you please describe the rules and order 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 norm. 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. 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 a 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 web. Speakers shall be called in order of their registration. Speakers in support or opposition of an item will have 3 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. Individuals representing a group should identify the group of individuals they are representing. If a speaker participating via Webex does not respond, or if a technical issue occurs which renders the comments unintelligible, we will move on to the next speaker or the next order of business.

After all speakers have spoken, the applicant may return to the podium, and they will have 3 minutes to offer a rebuttal and answer questions to the commission. Discussion among the Commission members will follow. No further public comment will be heard at that point. 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.

Mr. Coston: Thank you, Madam Clerk.

(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: Thank you, Chair Coston. In addition to the minutes, today we have six 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 item for consideration today are the several sets of minutes of Planning Commission, 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 that were held on September 9, 2026, with Commissioner Anderson abstaining because he was absent, and the site visits held on October 8, 2026, with Commissioners Anderson, Mauch, and Plumlee abstaining. That completes this item, so moved.

Mr. Mauch: Second.

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, the several records of minutes and agenda items 2, 6, 7, 10, 11, and 12. I make a motion that these items be approved by consent.

Mr. Plumlee: Second. I do abstain from the one visit, but I was inquiring, 4 and 5 was removed off the consent?

Ms. Byler: That's correct.

Mr. Plumlee: Okay, I just wanted to be clear. Thank you.

Ms. Alcock: If I could just make one point of clarification, Item 2 was also pulled from the consent agenda.

Ms. Byler: Oh, thank you for that correction. So the remaining items on the consent agenda, just for clarity, items 6, 7, 10, 11, and 12.

Mr. Coston: Motion has been made for approval by Vice Chair Byler and seconded by Commissioner Plumlee.

Clerk: The vote is open. By a recorded vote of 10 to 0, with all aforementioned abstentions, all

aforementioned minutes and items 6, 7, 10, 11, and 12 have been recommended for approval by consent.

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

Vote Tally

Commission Member	AYE 10	NAY 0	ABS 0	ABSENT 1
Camp	X			
Cromwell	X			
Anderson (*As noted above, Commissioner Anderson abstained from the October 8, 2026, Site Visit Minutes)	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee Plumlee (*As noted above, Commissioner Plumlee abstained from the October 8, 2026, Site Visit Minutes)	X			
Hippen	X			
Cuellar				X
Coston (Chair)	X			
Moorjani	X			
Mauch (*As noted above, Commissioner Mauch abstained from the October 8, 2026, Site Visit Minutes)	X			

Virginia Beach Planning Commission October 14, 2026
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Public Meeting Item #1 City of Virginia Beach
Recommendation: RECOMMENDED FOR WITHDRAWAL

Discussion

Mr. Coston: Thank you, Madam Clerk. Next order of business is the consideration of requests to withdraw or defer an item.

Mr. Plumlee: Mr. Chairman, the City of Virginia Beach has requested a withdrawal of the modification of the map for Short-term Rental Overlay district, and I would move to approve that withdrawal.

Mr. Coston: Do we have a second?

Mr. Anderson: Second.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Anderson that this item be withdrawn. Are there anyone? Is there anyone abstaining from this item?

Clerk: The vote is open. Commissioner Cromwell, your vote.

Mr. Cromwell: My screen's not working. I vote Aye.

Clerk: By recorded vote of 10 to 0, Item 1 has been recommended for withdrawal.

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 October 14, 2026
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Public Meeting Item #2 LBC Ventures LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

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

Ms. Byler: Thank you, Chair Coston. In addition to the minutes, today we have six 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 following dialogue reflects the discussion to pull the item from the consent agenda, which may not have directly followed the above discussion in this document)

Ms. Byler: Thank you, Commissioner Camp. The next item on the consent agenda is Item 2, LBC Ventures, LLC. Is there a representative here to speak on this?

Mr. Plumlee: I believe there is a condition that the applicant does not want to approve on consent.

Mr. Bourdon: Yeah, we based on what you all discussed in the informal. If you're putting it on consent based on the conditions, we would like it pulled, please.

Ms. Byler: So you do not agree to -- your client does not agree to the conditions, in which case, we will remove you from the consent agenda and have that matter heard.

Mr. Bourdon: Yes, ma'am.

Ms. Byler: Thank you, Attorney Bourdon.

(The following dialogue reflects the hearing for the item, which may not have directly followed the above discussion in this document)

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

Our next order of business is the regular agenda. The regular agenda will proceed as follows, applicant will be given up to 10 minutes to present their item. We will then hear from speakers in support and opposition. The applicant may then return to the podium for up to 3 minutes for

rebuttal, and then answer any questions from the commission. Madam Clerk, we are ready for the first item.

Clerk: Our first item is Item 2, LBC Ventures, LLC.

Mr. Bourdon: Mr. Chair, members of the commission, for the record, Eddie Bourdon, Virginia Beach Attorney, representing LBC Ventures, LLC. Sorry, we had to pull this from the consent agenda, but it was not a secret. I'll start very briefly. Since it was on the consent agenda, I won't go into all the hardship. But the one thing that stands out is this piece of property was first created in 1902. Roughly, it's existed. For half the time that our country has existed, and it's never been subdivided in spite of the rest of the neighborhood around it, pretty much having been done so. The only thing that's happened was. In 1962, the Commonwealth of Virginia took 5,200 plus square feet of the property for Northampton Boulevard, and in 1981, the City of Virginia Beach took 3,277 square feet of the property or Hook Lane, so we have a piece of property that's in an existing, long existing, one could probably argue, historic area of the city, and it's a small community. Hook Lane is the essentially the only road in the community. It does have a cul-de-sac that's been created in recent years off the northeast corner of the neighborhood on a Coral Bay Court.

The staff report indicates that the lots in the neighborhood are 7,500 square feet and greater, and that's not exactly accurate. There are a number of lots in this neighborhood that are well under 7,500 square feet, and the three proposed lots here, for which there's really only one variance. That's the lot in the back, but we'll call it two. This the one in the middle. Was approved administratively, but that's fine. The these lots are bigger than every other lot in the neighborhood, except for two to the west and one to the east of the subject property. The lot on Hook Lane is 100 feet wide and it contains 10,000 square feet. The other two lots are well in excess of 10,000 square feet in R-7.5.

The staff report also indicates incorrectly, not in the conditions, but what, Mr. Camp stated was accurate. It does state on page four that my client submitted a plan. It is that showed a driveway coming to the front lot on hook lane from the access that will be shared by the two lots in the back, and that never happened, never been such, but the conditions one and six are the conditions that we have a problem with. There are a total of 48 homes, not counting the one that was on this one, in this neighborhood, and of those 48, 46 do not have a side-loading garage or a garage set back five feet from the front of a house that has a bigger front facade than the garage. Chesapeake Beach, Ocean Park, Cape Story by the Sea, the North End of Virginia Beach, the Hollies, Old Beach, Shadow Lawn, Croatan, Birdneck Lake, Sandbridge Beach. Neighborhoods in the city that have some of the most valuable properties, residential, in the city of Virginia Beach, and those neighborhoods. Have far, far more front-loading garages than anything else, and far, far more that are not set back.

Five feet from the front, with a side, that's, that's not the garage in front of it, bigger than the garages. I've built myself with my lovely wife two houses, one in Birdneck Lake and one in Croatan. Both of those houses have garages that sit out well in front of the rest of the house. We happen to. Be on the water in both cases, and that's how we chose. And there are other houses in

those neighborhoods. I say they exist everywhere. I get the aspirational idea. But that's not consistent with this condition, and it's not consistent with a lot of neighborhoods on shore Drive.

So that we do show a two-foot setback. Further for the garage on the front lot than the than the rest of the house, but it's not five, and the rest of the house isn't bigger than the garage. The lots are in small lot subdivisions, and what I just let read you a list of the Sandbridge. They are 10,000 square feet. Some are larger. That doesn't change the fact that. Telling someone that their garage has to be five feet back from the front of the house. And the rest of the house has to be bigger than the garage—that's an aspiration. And if you're if you're doing a large lot subdivision in the transition area, which I've represented a few, where we actually did exactly that in the guidelines for that neighborhood for more than one. But that's not what we're dealing with here.

We're dealing with an existing neighborhood, and all this this idea does is cause greater expense to a developer who has a beautiful house. You, you've got a copy of it to have to go design a house just for this lot. And I'm sorry, but we do not agree with condition number six, and we don't agree with condition number one. Because we were never, never planning on adding that to the driveway, and this street doesn't. Doesn't handle anything. You have to be looking for somebody in this neighborhood. It doesn't cut through to any other neighborhood.

It just serves the 40 lots, 48 houses that exist there today. So we would respectfully request that condition number one. Be that you approve the plan as it's been submitted, and including what I passed out or what we passed out, which shows the landscaping. So this lot in the front will have its own yard, its own fenced-in yard, and we'll put landscaping between the fence and the driveway. That'll serve the two in the back. All the other conditions dealing with, shared maintenance and all that—absolutely perfect. Agree with them 100%. Just those two, number six, which should be eliminated in art. We ask that you all recommend it with that elimination. And then the condition one just be modified to be the plan that we've submitted, and the only plan that we've submitted. I will be happy to answer any questions?

Mr. Coston: Are there any questions? We don't have anybody else to speak, do we?

Mr. Plumlee: No one else to speak. So I do have questions. Mr. Bourdon, as members of the bar, I think we should recognize the passing of Mark Stiles. We've not had the chance to talk about it. I was with Judge Lilly yesterday. It was such a busy and intense hearing. I didn't have an opportunity to express my condolences, but I want to do that for him and his family, the department here that he led for so many years, and the city. So that's just I didn't want to miss that opportunity.

Mr. Bourdon: Thank you, Mr. Plumlee, and you're spot on. And there, and with Les is wonderful person, wonderful judge, and did a lot, a lot of work with, with Les, Sandbridge Beach, and a lot of other things. And Mark is every bit as good a human being, if not better than Judge Lilly, and that's and that -- but they're in the same, they're in the same league. He was one, one, one. Wonderful, and unfortunately, you know, we lost him way, way too soon.

Mr. Plumlee: Very young. Very young.

Mr. Bourdon: But thank you for that. I appreciate the opportunity.

Mr. Plumlee: I just wanted to get clear. When I went through the community, it looked like most of the homes had front driveways.

Mr. Bourdon: Font driveways and front garages and there's actually, I counted 15 that don't have garages at all.

Mr. Plumlee: This plan appeared to be, to me, more in line and less of a deviation than what the city is asking for with the conditions. That was how it appeared to me.

Mr. Bourdon: Correct. There are there are a grand total of two out of 48 houses that have a side loading garage. One is the house next door to this property on the west side, where they have -- it was a beautiful. It is a beautiful brick home, for which they have added a garage on the northwest corner. That was an add-on, and then there's a house on the corner of Hook Lane, and they may call it Hook Court, but it's to the east. There's a lot on the corner that has a newer home for that neighborhood, and it has a side-loading garage, but it's a side corner lot, so it's easy to do that.

Mr. Plumlee: And you've put on the record the only changes you need to those conditions.

Mr. Bourdon: That is just. Thank you.

Mr. Plumlee: Commissioner Camp.

Mr. Camp: Thank you, Mr. Chair. Attorney Bourdon, my question is not for you; it's a question for staff. Actually, two questions. Would you be able to tell me when the Shore Drive Design Guidelines were adopted? And the related question, which we can look into while we're waiting on that answer, is roughly when were most of the homes here built?

Mr. Morrison: Good afternoon, Commissioners. For the record, Hank Morrison, Comprehensive Planning Administrator. I don't have the answer to number two, but the design guidelines were adopted by council in 2002.

Mr. Camp: Thank you, sir.

Mr. Morrison: Thank you.

Mr. Camp: And with regard to roughly the age of the other homes in the community?

Ms. Walsh: We're looking for that right now. It's going to be a minute.

Mr. Camp: All right, may I have a follow up with Mr. Morrison?

Ms. Walsh: Sure.

Mr. Camp: Mr. Morrison, I know that this particular plan was adopted prior to your arrival as our city's Comprehensive Planning Administrator. But would you be able to tell us, was the

intention of those design guidelines to bring about change in the community, versus what had been created organically prior to the adoption of the guidelines?

Mr. Morrison: I would, I would say that the design guidelines were are an aspirational viewpoint into what the community was hoping to achieve as the development continues in the future.

Mr. Camp: So what I'm trying to do here with these two questions is to reconcile what we see today and Attorney Bourdon's comment that what's being asked for in this particular application doesn't align with the rest of what we may see. If the homes were created before the adoption of the guidelines, naturally, I wouldn't necessarily expect them to look like what the guidelines say. If they were built more recently, contemporaneously with the guidelines or after, then yes, I would expect them to look more like what the guidelines call for, and that's what I'm trying to understand here. If this application is one more in line with a pattern, although we don't see too many in this older neighborhood, or if this is an exception. Mr. Morrison, that's all I have for you. Thank you.

Ms. Walsh: Okay, so we've been able to pull at least a handful of homes, and it does range from the 1940s to 2019, more on the 1940s side.

Mr. Camp: So, in general, Director Walsh, would it be reasonably accurate to say that a substantial portion of this neighborhood, as we see it today, was built out prior to the adoption of the guidelines?

Ms. Walsh: Yes, sir.

Mr. Camp: Okay, thank you for that clarification.

Mr. Coston: Okay, Commissioner Schoonover.

Ms. Schoonover: I move that we approve this application with the requests that Attorney Bourdon asked us for, removing number six and modifying number one to correspond with his application.

Mr. Plumlee: Second.

Mr. Coston: Has been moved by Commissioner Schoonover and seconded by Commissioner Plumlee that we approve this item as is the desire of the applicant.

Ms. Byler: Is there time for discussion? If appropriate, at this time under discussion, I would like to ask the staff. As I understand it, all applications are run through our traffic department, and I assume there was a reason that they didn't want this side entrance on Hook Lane. I wonder if staff could speak to that.

Ms. Walsh: I don't believe that this was a traffic comment. This was based on the Shore Drive Corridor Guidelines. Is that correct, Hank?

Mr. Morrison: That's correct. So, the design guidelines, when there's a development of more than one home, it encourages the sharing of a driveway, and so having multiple driveways also

creates conflict points for vehicles and pedestrians. So, trying to reduce the conflict points and also reduce the amount of impervious surface on the site. That's where that suggestion came from.

Ms. Byler: Thank you. I appreciate that.

Mr. Coston: Any further discussion? Are we ready for the vote?

Clerk: The vote is open. Chair Coston, your vote. I can take a verbal vote.

Mr. Coston: I vote yes. Aye.

Clerk: A recorded vote of 9 to 1, item 2, LBC Ventures, LLC, has been recommended for approval as modified.

Mr. Bourdon: Thank you all very much for your patience, and hope everybody has a wonderful Thanksgiving and doesn't get tricked too much.

Mr. Coston: Thank you.

Vote Tally

Commission Member	AYE 9	NAY 1	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			

Conditions

1. The site shall be in substantial conformance with the conceptual subdivision plan entitled "LAYOUT EXHIBIT BAYVILLE GARDENS/PARK LOT 7" dated May 1, 2026, prepared by Good Land Engineering~~, except that access to all proposed lots shall be via the proposed private ingress/egress easement depicted, and a separate curb cut solely for the benefit of Lot C shall not be permitted~~. A copy of the proposed layout has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.

2. Public drainage easements shall be required along the north and south sides of the site based on the field-surveyed locations of the existing public drainage ditch and public storm pipe.

3. A final subdivision plat for the proposed lots shall be submitted for review, approval, and recordation in accordance with the requirements of the City of Virginia Beach Subdivision Regulations.

4. Prior to recordation of the final subdivision plat, a legal document establishing a private cross-access reciprocal easement between the proposed lots shall be recorded. The document shall also include provisions for a shared maintenance agreement.

5. The architectural design and materials of the proposed single-family dwellings shall be consistent with the recommendations outlined in the imagineVB 2040 Comprehensive Plan for the area. Architectural elevations shall be submitted to the Planning Director for review and approval prior to issuance of building permits for proposed structures.

~~6. Should a front-loading garage be proposed for the lot adjacent to Hook Lane, the front façade of the dwelling shall be at least five feet wider than the garage and the garage shall be set back at least five feet farther than the house from the street, in accordance with the Shore Drive Corridor Design Guidelines.~~

7. City Ordinances and Standards remain applicable to this property. Any site plan/plat submitted with this application must meet all applicable City Codes and Standards before site plan/plat approval will be granted. 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.

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.

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Public Meeting Item #3 Tidewater Structures, LLC
Recommendation: RECOMMENDED FOR INDEFINITE DEFERRAL

Mr. Coston: Our next order of business is consideration of items to be deferred.

Mr. Plumlee: I'm sorry, Mr. Chair. Start in row.

Mr. Coston: Please come forward. If you have any items to be deferred,

Mr. Plumlee: It's my understanding the two requests for deferral. There's no one here to represent them on that, but I want to go ahead and make a motion to approve Items 3 and 8 for indefinite deferral, which is the request.

Ms. Byler: Second.

Mr. Coston: It's been moved by Commissioner Plumlee and seconded by Commissioner Byler, that these items be deferred indefinitely.

Clerk: The vote is open. By recorded vote of 10 to 0, Items 3 and 8 have been recommended for indefinite deferral.

Mr. Coston: Thank you.

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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Public Meeting Items #4 & 5 Corporate Landing Pkwy Development, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Clerk: Our next items are Items 4 and 5, Corporate Landing Parkway Development, LLC.

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

Mr. Harris: Yes. Good morning, Chairman, members of the commission. My name is Jerry Harris, with Hanger law in Virginia Beach, here, on behalf of my client TST Roofing and Glazing for Items 4 and 5. We stand before you today asking for approval of two items: first, a modification of proffers, and then also a conditional use permit. The reason these have to come in this order is because under the current proffered conditions for this Corporate Landing Business Park, there is an exception in the proffers for bulk storage. In discussions with the city, the operation that TST Roofing and Glazing is a multifaceted general contractor here in the City of Virginia Beach that's growing their operations. The purpose of this storage yard is to support that operation. They're going to put their, you know, equipment and materials, the things that they use to go around the Commonwealth of Virginia, down to North Carolina, and up and down the eastern Seaboard to store it there as an accessory, use, as we argued, to part of their property. The city didn't agree with that position, and therefore we now go through this process to modify the proffers to try and allow them to use "bulk storage" at this location. It's not bulk storage in the sense that there's going to be storage of third-party items for profit. It's not going to be wrecked cars. It's truly going to be items that support their business operation.

And the reason it has to come in twofold is because we first have to modify only condition four of those commerce park requirements. We've been through the Economic Development Authority. We've gotten their unanimous approval. For the concepts that you have on your staff reports that you'll see here, you'll notice the warehouse space first, and their office buildings, that'll be a two-story building that supports their day-to-day operations. And then you'll see, just behind it is what we've labeled as the laydown yard. That's where you'll see this "bulk storage" happening. The intention of the applicant and my client is to have none of this visible from the roadway.

You heard during your informal session some questions about the fencing. That fencing has gone through economic development. They're perforated metal fencing. It's a nice, high-quality fence, and we're going to put those where you can see it from any of the passing roadways. And then from there, you'll see that there's also the vinyl-clad chain-link fencing on the back of the property. And on the back of the property, we don't believe that will be visible. And then also in your plan, you'll see if you go back to the other page where those are going to happen. But most importantly, all the vegetation that exists on the property, that is behind the property—that's a 75-foot vegetative buffer, as well as wetlands behind, it will also remain.

So what we're hoping is that slight modification. If we go back to the other slide, to the fencing, that blue line that you see, it really is going to be visible from the roadway. And then also, there's going to be substantial vegetation between that location into the rear. So, with those things in mind, we are hoping that with the growth of this business that employs 160 folks within our community, it's a growing operation. They receive the benefit of an EDIP grant to help the growth of this business. We're in a good position with this property to stay on that corner that you see there, and enjoy the growth of a new business in this community.

So, I would ask for your support of this application, and happy to answer any questions that you may have. I do understand it was pulled today because there are two speakers that have signed up. I will confess, I haven't had a chance to speak with them. I don't know what their opposition may or may not be to this application, so I'll just reserve the time to respond to that at the appropriate time. But otherwise, thank you for your consideration.

Mr. Coston: Thank you, Madam Clerk. Call the speakers.

Clerk: Our first speaker is John Newell. I don't have the card yet for the second speaker.

Mr. Newell: Hi, there.

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

Mr. Newell: My name is John Newell. How much time is allotted again? I apologize.

Mr. Coston: Three minutes.

Mr. Newell: Okay. I would like to preface my written statement with an apology for any nervousness or errors in my speech, as well as I was unclear of the original proposal. I think I misinterpreted some things, and as well, this is my first time publicly speaking. So I would like to thank the board for their patience and this opportunity to speak. So, I saw a sign, a bright orange sign, about one month ago, today. It was probably outside of one of my favorite places to go recreationally. I don't know if anyone here has seen the photos, but it is a nice lake with a grass field around it. It's a very nice spot.

And what I saw on the sign made me especially upset, to be honest. So upset, encouraged me to speak out publicly for the first time, like I said, and in bold handwriting, it stated that the city had plans to repurpose this beautiful, beautiful side of nature into a bulk storage yard. And to me personally, the idea to put a storage facility on General Booth Boulevard, in my opinion, is a big mistake by our local city government. Already, the street is oversaturated with many storage units already. However, these ones are for profit. New stores being constructed, the new McDonald's, even the selling of Malbon Bros. It shows that our community is losing what makes it so special in place of profit, in my opinion, and I believe that our community should be put first, not private interest.

Like I said, there are many, I guess, growing places for income, and I think that is good. But I will

say, if this type of development continues, in place of putting our people first, I think, honestly, this entire area will become overdeveloped and just gray, dull, and just not what it once was. I don't think this is the naivety of my youth speaking. I think, I've seen firsthand the real experience. I've seen as more development comes, I've seen less people outside, more people staying indoors. Just overall, it's not really good for our community.

And I know what I said sounds very big, very scary. And while it is a hypothetical, I think it starts right here. Every decision and change has an impact, smaller, big, for better or for worse. So I propose a very big change for the benefit of our city, and my proposal is instead of building something adverse to our community, to enhance what's already there. By my account, there is, like I stated before, many storage facilities already, and not enough nature, not enough areas for our community to interact together. So, for my proposal, I was thinking to turn the land already there into a nice park, a good area for people to interact with each other and stay connected instead of serving private interests once again.

Mr. Coston: Thank you, sir. Thank your time. It's expired.

Mr. Newell: Yes, sir.

Mr. Coston: Does anyone have any questions for the speaker?

Ms. Schoonover: May I just ask real quick? This is my district. Are you talking about -- you mentioned some water. Are you talking about right off of Corporate Landing, there's water right over here. Is that what you're looking at?

Mr. Newell: Yes, yes, yes.

Ms. Schoonover: Okay.

Mr. Newell: If I saw the zoning right, I thought the lines cut into there, but I could have been wrong. I apologize.

Ms. Schoonover: No, it's okay. Are you aware that this is not exactly on Virginia General Booth Boulevard? It's actually back a little bit. See, I don't think you're gonna see this from the road. Are you aware of that?

Mr. Newell: I was not actually.

Ms. Schoonover: Okay, well, that's why I want to make sure, you know, because I don't think it's quite where you think it's going to be. So I'm not sure that it's as much of a concern for you, but it might be. So if you look up there on the map, oh, let's use this -- this is my favorite thing ever. I've been wanting to use this. So, you see, right, there is General Booth Boulevard.

Mr. Newell: Yes.

Ms. Schoonover: And this is where that brewery is. It's going to be right back over here. So you're. I don't think you're going to see it from the road, really.

Mr. Newell: I mean, I don't think it's about visibility. I think it's what it could be used for instead, not really if it's visible or not.

Ms. Schoonover: Does it? Does it impact your view? It's part of his current business, and he's trying to expand, just to have a space to put the items he's using for his business. Did that change your view, as opposed to it being a for-profit storage facility?

Mr. Newell: I believe so. Yes, in a way. Like I said before, I do apologize. I thought it was another rental storage unit place. I did misinterpret that, but I still believe that land could be repurposed for something more, bettering and nurturing for our community.

Ms. Schoonover: Gotcha. I'm so glad you came today, and don't be nervous. We all get very nervous speaking public. So you did a really good job. Thank you.

Mr. Newell: I very much appreciate it.

Mr. Coston: Any further questions, Commissioner Mauch?

Mr. Mauch: I'd like to thank you for coming today. First time public speaking is very nerve wracking. I remember my first time and I did not do nearly as well as you, and I think you did wonderful. I think your aspirations and your goals are wonderful. I think that this piece of property, we have to balance the private property's ability to do something as if it was public property. Would make it a little bit easier for us to have some wiggle room on what we can and can't allow there. But as far as a private property owner and his ability to do things, they've come through the process one time, and now they're asking, from a private property standpoint to modify it. So that they can further their business on their on their own property. I just wanted to make that a little bit clear because the private property aspect and then the public property aspect, I think those aspirational goals are right on target for what most people want. Continue doing what you're doing. Stay involved and stay encouraged to talk about the things that you find most important in our city because we need more people like that. So thank you.

Mr. Newell: Thank you for your time. Thank you.

Mr. Coston: May be seated.

Clerk: Our final speaker is Brian Mance.

Mr. Mance: Good afternoon. My name is Brian Mance. I'm a local resident and got the notice of this meeting for this property at the end of September. My concerns were the words "bulk storage." I live within the area that can be affected by this. I also work in this area. My company recently bought a property that is actually on your picture, and I know, we went through several

hoops trying to get things done that we could not do, things that we can't have outside of the building, that we can't store things, and then, yeah, right up there, on the corner on the lake.

So I understand corporate landing, and I think the aspiration of corporate landing is for less industrialized storage, changing the rules for what you can put on the property. I understand sometimes there's a need, but the bulk storage at one point, once this is changed, some companies may not be here for too long, for as long as they expect, or they may move and grow and have to expand further beyond what they can do here and go to a bigger site. Then this item has already been changed, and the next guy can come in and bulk store something else that we don't want in the neighborhood that isn't as pretty. Another item, I noticed is the picture he showed of the fence. To me, visually, it looked like a chain link fence. As a resident, I would not want to look at that ever. I hate chain link fences. How many of you have seen a chain link fence that looks nice? I don't think any of you have, and I don't think any of the residents in this area want to look at another chain link fence. That's pretty much all I had. It doesn't seem to fit what I think this area is. Thank you.

Mr. Coston: Any questions? Thank you, sir. You may be seated. The applicant like to come back to rebut.

Mr. Harris: Thank you, Mr. Chairman. I'll share the commission's support of Mr. Newell's exercising of his First Amendment, right. That's always nice to see a young man come and do those things. I think his confusion may have been clarified in some way about the nature of what is being proposed at this location, but on to Mr. Mance's raising some concerns about these, this particular area. I think it's important to recognize the proffers first. This is going to be very limited. It's only going to be limited to storage of the material, supplies and tools, equipment of this business, by its nature, there is specifically in the proper no third-party storage. No portion of the property will be operated as a standalone storage business or storage facilities for persons other than the entities and the owners that occupy that particular place.

And then, in no circumstance, will the items placed in that exterior storage ever exceed the heights of this fence. So, if you're a layperson, I would suggest you walk by there. You wouldn't really even know that it's being used as a bulk storage yard, which kind of goes back to my first point about I would like to call it an accessory use. I can't do that because of the way that this city code is structured. But under those circumstances, you also have the benefit of 75 foot landscape buffer, followed by wetlands where this chain link fence is shown. And while I do agree that sometimes chain link fences are not the preferred aesthetic look, in this circumstance, it's really an obstructed view of a chain link fence that also includes that black vinyl wrapping and those slats. But with that, we would ask you to still consider the modification of proffers and the conditions proposed for our laydown yard or bulk storage yard are appropriate, and we'd ask for that approval. Happy to answer any final questions.

Mr. Coston: Any questions, Commissioner Camp?

Mr. Camp: Thank you, thank you, sir. Maybe you can clarify for us what I was not able to get clarity on during the informal. When we compare the diagram that is being displayed right now, with page number 27 at the bottom corner. This is the one that has the colored boundaries showing

different types of fencing. I'm going to be referring to that top area that is in blue, and if we compare that to the other diagram, I believe it's page number 28, that shows a different shape, with a different boundary extending up into the 70-foot. Please help me understand what's going on here.

Mr. Harris: Sure, Commissioner Camp. Thank you for that question. Mr. Camp, I will let you know this has been a process that's been underway for about a year now between economic development, my client, and then through that process, we have to get the economic development support. During process of economic development, we have to meet the business park guidelines. In order to do that, we had to prepare these site plans. As part of the economic development discussion, there was an initial discussion that the 75-foot boundary could be waived. Then, during staff review for this commission, it was raised that there is an encroachment into that 75-foot buffer.

So, what you're seeing there is a legacy site plan that was approved and seen by Economic Development that does encroach in that small portion into the 75-foot buffer. Staff then noted that and requested the addition of condition five, saying, "Well," You can't really do that until you properly vacate that portion through site plan, and we're here to tell you we're fine with that condition. In fact, I would even tell you that we've already asked our engineers to contemplate a new site plan for when we go through that to just pull that seventy-five feet back to handle it. So it is an inconsistency, you're right to point it out, but it's really explained by the length of the process and the number of iterations, particularly having to go before both the economic development and this commission.

Mr. Camp: So since, the final word on this is with City Council, do you have the ability to clean this up in a finalized site plan that will be the site plan that accompanies this through City Council review?

Mr. Harris: Yes, and in our discussions with the City Attorney's Office, we do have some other cleanup work that we have to do related to the subdivision that's happening over here. Because, as you may know or may not know, separate from this application -- and maybe to Mr. Newell's pleasant surprise -- my client is also helping the City through a cost participation agreement to build, at their expense, a new stormwater retention pond in the vacant portion next to it. So, as you can imagine, Commissioner Camp, there's a lot of work to still be done with that, and we'll clean all that up all at once.

Mr. Camp: All right. Very good.

Mr. Harris: Thank you.

Mr. Camp: Can I have one other question for you, sir? Pardon me. Still recognized. The other point that I brought up in the informal was that this parcel came through for review not terribly long ago, and at that time, the particular condition to which you take exception was imposed, and all of the same parties looked at this and felt that that was the right way to govern this area, that bulk storage would not be permitted on this site. Why now, should these same bodies reconsider a decision that was made not too long ago in the other direction? What's the reason?

Mr. Harris: Thank you, Commissioner, and Mr. Camp, I will say that as part of this body's good work. Every application has to come on its own merits. I won't speak to where maybe the pitfalls were on the last application. I do think ours is materially different, specifically because of the limitations being offered by Proffer and condition, not being visible at all from the roadway below the fence line, having a business that's going to be two stories tall. You know, as I mentioned, sort of tongue in cheek, I would defy a layperson to sort of even walk by this and even know that it was a bulk storage yard. It's not another one of these mini storage units. It's just so different than what we normally see in these bulk storage applications that I think that those material differences do carry the day in. What's different, because I can also appreciate that you don't want to have one application, come for bulk storage and say no, and then the next one, because then it looks like you're picking winners and losers, as opposed to, you know, perhaps the diligent work that you all do each day.

So I think the proffers, combined with the conditions that we've agreed to already, would allay any fears that this is sort of opening a can of worms for this whole business park. You also have the benefit of economic development. Economic development enforces these conditions through the Business Park and their development guidelines. We've already been through that process successfully, with the unanimous support. So I hope for that will give this commission confidence that this is the right application to accept our conditions.

Mr. Camp: Thank you, sir.

Mr. Coston: Any further discussion?

Ms. Schoonover: Okay. I just wanted to clarify because I think the gentleman behind might not have heard what you said earlier. You are going to have things like bushes and whatnot, so you're not really going to see the fence that he's concerned about. Correct?

Mr. Harris: That's correct. If we look here on your design outline, there's a hard black line that goes around where you see the fencing is going to be. All existing vegetation behind that fence line is going to be undisturbed.

Ms. Schoonover: And this other question is just for staff, because I know that he was concerned that if they went away, somebody else could come and put bulk storage. They would still have to go through a process of approval for what was put there specifically, is that correct for staff?

Staff: They would still need to comply with these conditions, so it's possible that a new business could move in and still comply with these conditions.

Ms. Schoonover: But it was still a go through the regular process. It would be seen by other people and so forth. It wouldn't just happen. I just want to make sure for his on benefit. Thank you.

Mr. Coston: Any other questions?

Ms. Schoonover: I'm go ahead and make a motion, if I may.

Mr. Coston: Yes, ma'am.

Ms. Schoonover: I'm going to approve the application.

Ms. Moorjani: Second.

Mr. Coston: It has been moved by Commissioner Schoonover and seconded by Commissioner Moorjani that we approve this item.

Mr. Anderson: Mine's messing up, too. So, yay.

Clerk: By recorded vote of 10 to 0, Items 4 and 5, Corporate Landing Development, LLC, have been recommended for approval.

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			

Proffers

Proffer 1

All Proffers remain in full force and effect except that Proffer number 4 as contained in the 2022 Proffers is hereby deleted in its entirety and shall be replaced with the following new Proffer numbered 4:

> "4. Exterior storage shall be permitted upon the Property and, when developed, shall be developed substantially as shown on the plans and materials submitted in connection with the Modification of Proffers Application with City application number 2026-PCCC-00155 and titled "TST Corporate Landing, Preliminary Development Plan, Virginia Beach, Virginia" prepared by AES Consulting Engineers, Job No. H10331-00, issued September 10, 2026, consisting of Sheets 1-3 depicting (i) site layout, (ii) proposed improvement summary and (iii) fencing material

details (the “Development Plan”), which is incorporated herein by reference, and all of which have been exhibited to the Virginia Beach City Council and are on file with the Virginia Beach Department of Planning and Community Development. If any inconsistency is found among the Development Plan and written application, the more specific plan or document governing the condition at issue shall control, subject to final review and approval by the City. In addition to the Development Plan,

(a) Exterior storage shall be limited to construction materials, supplies, tools, equipment, vehicles, trailers, and other items stored in support of the business operations of the owner and/or occupant of the Property. No third-party storage shall be permitted, and no portion of the Property shall be operated as a stand-alone storage business or storage facility for persons or entities other than the owner and/or occupant of the Property.

(b) No items placed in exterior storage shall be visible from any public street or right-of-way.

(c) All applicable requirements of the Corporate Landing Business Park Design Criteria (October 2021), as may be amended, including without limitation the requirements pertaining to fencing materials and building materials to be used shall be followed, provided that, in the event of any conflict between this Proffer 4 and Section 2.7 of the Design Criteria, this Proffer 4 shall control as to the Property.

(d) All exterior storage activity shall observe quiet hours between the hours of 11:00 p.m. and 7:00 a.m., during which time no loading, unloading, or operation of machinery or equipment shall occur.”

Conditions

1. The site shall be developed in substantial conformance with the conceptual plan entitled "TST Corporate Landing Preliminary Development Plan," dated September 10, 2026, prepared by AES Consulting Engineers, a copy of which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning & Community Development.

2. The fencing shall be developed in substantial conformance with the exhibit entitled “TST Corporate Landing Preliminary Development Plan,” Sheet 3 of 3 dated September 10, 2026, prepared by AES Consulting Engineers, which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.

3. The location of the fencing shall be in substantial conformance with the exhibit entitled “TST Corporate Landing Fencing Location,” dated September 17, 2026, which has been

exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning & Community Development.

4. The slats on the chain-link fencing shall be black and maintained in good condition, free of holes and breaks, for the duration of the use of the site as a Bulk Storage Yard.

5. The Bulk Storage Yard shall not encroach into the 75-foot landscape reservation area, depicted on the 1991 plat for Corporate Landing found in the Virginia Beach Land Records Map Book 216 Pages 80-90, unless and until such reservation area is vacated on a subsequent plat.

6. The outdoor storage materials shall not be stacked higher than the privacy fence enclosing the bulk storage yard area.

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. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Manual gates will require a Knox Padlock, and automatic gates will require a Knox Override Switch. The security gates and the emergency operation shall be maintained operational at all times.

9. All on-site signage must meet the requirements and regulations of the Zoning Ordinance. A separate permit from the Department of Planning & Community Development is required for any new signage installed on the site.

10. A final subdivision plat must be submitted for review, approval, and recordation for the lots being created.

11. The final plat must be prepared in accordance with Section 6.3 of the Subdivision Regulations.

12. City Ordinances and Standards remain applicable to this property. Any site plan/plat submitted with this application must meet all applicable City Codes and Standards before site plan/plat approval will be granted. 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.

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 October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #6 Crescent Community Center Corp.
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: Thank you, Attorney Bourdon. The next item on the consent agenda is item number 6, and that is Crescent Community Center Corporation. Is there a representative here today to speak on that? Welcome back, Attorney Bourdon.

Mr. Bourdon: For the record, Eddie Bourdon, Virginia Beach attorney representing Crescent Community Center Corporation, had the privilege of representing them 13 years ago with the original use permit, which had a bit of controversy attached to it, but they've been very, very good neighbors and well received. And all the conditions as recommended, all 11 of them are acceptable. Appreciate Alexis's work on it and appreciate being put on the consent agenda. Thank you.

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

Mr. Cromwell: This application comes to us at 2480 Salem Road. The applicant is requesting a modification of conditions to a conditional use permit for religious use to modify the previously approved concept plan and building elevations on a on this 9.16 acre AG-2 Agricultural District Zone parcel located within the Inner Facility traffic area. The site contains the Crescent Community Center, which has operated on this site since 2020. The proposed additions will match. The architecture, materials, colors, and height of the existing building. Hearing no opposition to this, we approved it for the consent agenda.

Ms. Byler: Thank you, Commissioner Cromwell.

(The following dialogue reflects the discussion to approve the item 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, the several records of minutes and agenda items 2,6, 7, 10, 11, and 12. I make a motion that these items be approved by consent.

Mr. Plumlee: Second. I do abstain from the one visit, but I was inquiring, 4 and 5 was removed off the consent?

Ms. Byler: That's correct.

Mr. Plumlee: Okay, I just wanted to be clear. Thank you.

Ms. Alcock: If I could just make one point of clarification, Item 2 was also pulled from the consent agenda.

Ms. Byler: Oh, thank you for that correction. So the remaining items on the consent agenda, just for clarity, items 6, 7, 10, 11, and 12.

Mr. Coston: Motion has been made for approval by Vice Chair Byler and seconded by Commissioner Plumlee.

Clerk: The vote is open. By a recorded vote of 10 to 0, with all aforementioned abstentions, all aforementioned minutes and items 6, 7, 10, 11, and 12 have been recommended for approval by consent.

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

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			

Conditions/Proffers

1. All previous conditions attached to the Conditional Use Permit for the property located at 2480 Salem Road of September 24, 2013, shall be voided and replaced with the following conditions.

2. The site shall be developed and landscaped in substantial conformance to the concept plan entitled “Preliminary Site Plan for Crescent Community Center”, prepared by CECS, dated July 28, 2026, which has been exhibited to the City Council and is on file with the Department of Planning & Community Development.

3. The site shall be developed in substantial conformance to the colors, materials, and architectural features shown in the exhibit entitled “Crescent Community Center, Corp Existing Building”, dated August 27, 2026, which has been exhibited to the City Council and is on file with the Department of Planning & Community Development.

4. The applicant shall resubmit a site plan to the Department of Planning & Community Development, Development Services Center, within 90 days of City Council approval of this request and shall obtain all required permits and commence construction within one (1) year of City Council approval.

5. As part of the first site plan submittal the stormwater management from the existing gravel lot must be addressed.

6. As part of the first site plan submittal the site plan shall include right-of-way improvements to include pavement widening, shoulders on both frontages, and the installation of streetlights along Salem to meet the standards of the Public Works Design Manuel to the satisfaction of the Director of the Department of Public Works or his/her designee.

7. The building shall be no taller than 25 feet.

8. Should outdoor lighting be installed, a Lighting Plan shall be provided to the Department of Planning & 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.

9. Prior to the issuance of a certificate of occupancy the active streetlight surety shall be closed.

10. No outdoor speakers or public address systems shall be permitted.

11. The multi-purpose sports court shall only be used during daylight hours.

12. The multi-purpose sports court shall not be utilized for the playing of pickleball.

13. City Ordinances and Standards remain applicable to this property. Any site plan/plat submitted with this application must meet all applicable City Codes and Standards before site plan/plat approval will be granted. 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.

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 October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #7 VB Investments, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: The next item on the consent agenda is item number 7, VB Investments, LLC. Is there a representative here today? Welcome back, Attorney Bourdon. Are the conditions acceptable?

Mr. Bourdon: Yes, they are. As proffered, and I wanted to mention, since it was brought up in the informal, my client will be meeting with housing, and we are hopeful that some of these units will be affordable under the city's program. Thank you. Appreciate being on the consent agenda. Thank you.

Ms. Byler: Thank you. You may be seated. Is there any opposition to this item being added to the consent? Hearing none, I've asked Commissioner Moorjani to read it into the record.

Ms. Moorjani: The applicant, VB Investments, LLC, is requesting to rezone the current property located on 700 and 724 Baker Road from B-2 Community Business to Conditional A-18 Apartment District to develop a twenty-three-unit multifamily condominium community. We have received no opposition, therefore we have placed it on the consent agenda.

Ms. Byler: Thank you, Commissioner Moorjani.

(The following dialogue reflects the discussion to approve the item 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, the several records of minutes and agenda items 2, 6, 7, 10, 11, and 12. I make a motion that these items be approved by consent.

Mr. Plumlee: Second. I do abstain from the one visit, but I was inquiring, 4 and 5 was removed off the consent?

Ms. Byler: That's correct.

Mr. Plumlee: Okay, I just wanted to be clear. Thank you.

Ms. Alcock: If I could just make one point of clarification, Item 2 was also pulled from the consent agenda.

Ms. Byler: Oh, thank you for that correction. So the remaining items on the consent agenda, just for clarity, items 6, 7, 10, 11, and 12.

Mr. Coston: Motion has been made for approval by Vice Chair Byler and seconded by Commissioner Plumlee.

Clerk: The vote is open. By a recorded vote of 10 to 0, with all aforementioned abstentions, all aforementioned minutes and items 6, 7, 10, 11, and 12 have been recommended for approval by consent.

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

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			

Proffers

Proffer 1

When the Property is redeveloped, it shall be improved with a twenty-three (23) unit townhome condominium community with fencing, landscaping, access, community identification signage and parking substantially as shown on the exhibit entitled “BAY LANDING TOWNHOMES 700 & 724 BAKER ROAD VIRGINIA BEACH, VA 23462”, dated 04/28/2026 and revised 09/21/2026, prepared by Painted Fern Landscape Architecture, which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning and Community Development and is incorporated herein by this reference (hereinafter “Conceptual Master Plan”)

Proffer 2

The architectural design and features, along with the height, primary exterior building materials and colors of the buildings depicted on the Conceptual Master Plan will be substantially as depicted and described on the three (3) page exhibits entitled, “BAY LANDING – 4 UNIT TOWNHOUSE – FRONT ELEVATION”, BAY LANDING – 4 UNIT

TOWNHOUSE – REAR ELEVATION"; and BAY LANDING – 4 UNIT TOWNHOUSE – LEFT SIDE ELEVATION", dated 09.16.2026 (hereinafter "Building Elevations") and "BAY LANDING – 4 UNIT TOWNHOUSE – FRONT VIEW"; "BAY LANDING – 4 UNIT TOWNHOUSE – REAR VIEW"; and "BAY LANDING – 4 UNIT TOWNHOUSE – LEFT VIEW" (hereinafter "Building Renderings"), dated 9/8/26 prepared by OneSpace Architects. The Building Elevations and Building Renderings 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.

Proffer 3

When the Property is developed, the Grantor shall record a Declaration submitting the Property to the Condominium Act of the Commonwealth of Virginia which shall include restrictions prohibiting the rental of any unit for a term of less than thirty (30) days and prohibiting the conversion and use of any garage within a unit from vehicular parking or storage space to living area. The Condominium Unit Owners' Association shall be responsible for maintaining all open spaces, common areas, landscaping and other improvements on the Property as depicted on the Concept Plan. Membership, by all residential unit owners, in the Condominium Association shall be mandatory.

Proffer 4

Further conditions may be required by the Grantee during detailed Site Plan review and administration of applicable City codes by all cognizant City agencies and departments to meet all applicable City code requirements.

Virginia Beach Planning Commission October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #8 Rhema TC, LLC
Recommendation: RECOMMENDED FOR INDEFINITE DEFERRAL

Mr. Coston: Our next order of business is consideration of items to be deferred.

Mr. Plumlee: I'm sorry, Mr. Chair. Start in row.

Mr. Coston: Please come forward. If you have any items to be deferred,

Mr. Plumlee: It's my understanding the two requests for deferral. There's no one here to represent them on that, but I want to go ahead and make a motion to approve Items 3 and 8 for indefinite deferral, which is the request.

Ms. Byler: Second.

Mr. Coston: It's been moved by Commissioner Plumlee and seconded by Commissioner Byler, that these items be deferred indefinitely.

Clerk: The vote is open. By recorded vote of 10 to 0, Items 3 and 8 have been recommended for indefinite deferral.

Mr. Coston: Thank you.

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 October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #9 Giuseppina Pollice and Marisa Corsale
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Clerk: By recorded vote of 10 to 0, Items 4 and 5, Corporate Landing Development, LLC, have been recommended for approval. Our next item is Item 9: Giuseppina Pollice and Marisa Corsale.

Ms. Corsale: Good afternoon.

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

Ms. Corsale: Marisa Corsale.

Mr. Coston: Thank you.

Ms. Corsale: I'm not too sure. What did you want me to? How do I do this? I'm sorry.

Mr. Coston: Just tell us what you're trying to do.

Ms. Corsale: I'm proposing a in-home daycare, running out of my mother's house, and it's going to be a Montessori-style daycare, a thoughtfully prepared space where children can learn independently, respectfully. And it's going to be an organized environment, nothing too chaotic, where children can learn in a loving environment and thrive. I also have three letters of support. I would have got more, but I ran out of time. Do you want me to give that to someone?

Mr. Coston: I was just getting ready to ask the question. Madam Clerk, do we have any speakers for this item?

Clerk: There are no speakers for this item.

Mr. Coston: Okay. Are there any questions for the applicant?

Mr. Anderson: Hi. Thanks for coming in. I do have a question on one of the pictures of the backyard, shows the steps, and this is your parents' house.

Ms. Corsale: Yes, sir.

Mr. Anderson: Okay. And. With the age of the kids that would be there, I would like to get a clarification and look at the steps on the back porch that they are out of code because as far as I can tell, there are not -- there is not a railing on those steps, unless it's on the left, you just can't see

it, so I would be worried that there are. There is not a railing coming down those steps because there. There's five steps, which would be at least 35, 36 inches high.

Ms. Corsale: You're correct. There isn't a railing, but we're willing to do whatever.

Mr. Anderson: I would not move forward with approving this application on my opinion until that is done.

Mr. Coston: So, you're asking her to do that before?

Mr. Anderson: I would just like to make that stipulation in the proffer, somehow.

Ms. Corsale: We were aware that we needed the gate.

Mr. Anderson: Well, the gate's completely different. Yeah, this is a this is a height hazard and a code hazard.

Ms. Corsale: I would have addressed that if I knew that was a concern.

Mr. Anderson: But yeah, if we can put that as a --

Ms. Alcock: We can certainly add that as a condition. That we just need to be stated in any motion.

Mr. Coston: Any other questions, Commissioner Camp?

Mr. Camp: Yes. Hi, Ms. Corsale. Thank you for coming down today. I represent District 1, which is where this site is located, and I've been contacted by a number of the residents, in addition to the letters of objection that we received. So, I'd like to ask you a couple of questions about your proposed business.

Ms. Corsale: Sure.

Mr. Camp: First, do you reside at the home?

Ms. Corsale: I do not. It's my mother's home.

Mr. Camp: Okay. Number two, with regard to your business model, you are seeking approval for up to twelve children. How did you arrive at twelve?

Ms. Corsale: Under licensing, that's how many children you are -- that's the maximum amount of children that you can have.

Mr. Camp: Okay, so you're seeking the maximum.

Ms. Corsale: Yes, sir.

Mr. Camp: All right. Tell me a little bit about the outreach in the neighborhood that you did.

Ms. Corsale: So we sent out letters shortly after, we started this process, to the neighbors.

Mr. Camp: When was that, please?

Ms. Corsale: I'm sorry.

Mr. Camp: When was that, please?

Ms. Corsale: When was that? Sometime in September, maybe late August, early September. I don't recall exactly, but it was just basically saying that we are interested in opening the daycare and that we are going to be licensed. If they had any questions to contact me, I put my information on there, and no one contacted me. So that's pretty much it. Then my mom has a good relationship with a few of the neighbors, so I know she communicated with them.

Mr. Camp: Okay, thank you. In terms of your business model, in reading some of the letters from the neighbors, there was discussion about not having as many children at the daycare. Can you tell me: could your business model work if you had, let us say, six kids at the daycare, rather than the maximum allowed by law?

Ms. Corsale: Yes, so we would like twelve children, but I am also comfortable with a smaller group of children, just because I have a daughter as well, and she's the whole reason for this daycare. So, yeah, six children is perfectly fine with us. We just want to spend as much time with her while earning an income and having a good outlook on the community.

Mr. Camp: So this is interesting. I didn't expect this. So let me follow your comment a little bit. Is the purpose of this to run a business, or is it really? Well, tell me, tell me what your real purpose is here. So I think I heard you say it was more to do with your family.

Ms. Corsale: Yeah. So the purpose is to run a daycare. It's always been a goal of mine to have my own business, and I work as an occupational therapist assistant right now. So I leave my daughter three days a week with my mother. And it's just becoming harder and harder as she gets older. So, in my big, wonderful brain, I had this idea that I could make an income while being with my daughter 24/7, which, hopefully, that works out. And just, I love children. I've been working with children so many years. I worked as a montessori teacher for three years, three or four years. I worked in schools as an occupational therapist. Right now, I work at a skilled nursing home, so children have always been near and dear to my heart. I hope, I answered your question. I feel like I'm going.

Mr. Camp: Yes, that's fine. So, who is the applicant?

Ms. Corsale: So, it's my mother and I. The license will be under her name because she lives at the home, but our daycare is an LLC, so it's both of us.

Mr. Camp: So, the LLC is not applying for the daycare license with the state. You're doing it personally.

Ms. Corsale: I'm sorry.

Mr. Camp: What is the role of the, LLC? Is the LLC seeking a license, or are you doing it in your personal names?

Ms. Corsale: The LLC would be seeking the license, I believe.

Mr. Camp: Okay. The reason that I'm asking is this disclosure statement came in with your personal names on it, and then it said, "Are you a business?" And it said, "Yes," and then it lists an LLC. I'm trying to just sort out who's who because the LLC doesn't own the property. One of your, your family, owns the property, right?

Ms. Corsale: Right.

Mr. Camp: In terms of the other issues that were raised by the neighbors, we have twenty-eight homes in this cul-de-sac area, including the home that you're talking about. Out of those twenty-seven homes, five of them, nearly 20%, object to this, and that's serious. That's enough to bring it to my real attention that a common understanding has not been achieved with this neighborhood, and one of the challenges here has nothing to do with you or the way you would seek to run your business. It's with the street. That if we could display the site plan, the street has sort of an S shape here, and you're right out near the front of it, and the whole rest of the neighborhood is going to exit past your house after passing through this series of s turns., We understand in a residential area like this, people shouldn't be traveling fast, but the sightlines aren't great, and I believe that human nature is going to lead some of your clients not to drive all the way in into the end and turn around neatly at the end of the cul-de-sac. I think they're going to be executing three-point turns or driveway turns, because it's just the quickest, shortest thing to do. By the traffic count and the staff report, what was ten trips per day? Their study says it's going to be forty-eight trips per day, almost five times the imposition on this neighborhood of what it currently is. So I understand the neighbors' concerns here. Did you talk to any of the neighbors about these concerns?

Ms. Corsale: I have not. I've only spoken to the neighbors that my mother is familiar with. I'm not sure who sent the letters of opposition. I would love to speak to them, but I have not spoken to those neighbors.

Mr. Camp: Because my concern here is that I don't think there's a lot you can do about it. If this business was approved to go forward in this site, it's going to place these cars in a particular place where the street is configured that is not optimal, and I can see many good businesses don't fit the site, and that's what I'm wrestling with here, and I don't believe that there's a simple solution to that. That's a challenge for us. You haven't seen any of the letters.

Ms. Corsale: I have not, sir.

Mr. Plumlee: All right,

Mr. Coston: Commissioner Plumlee.

Mr. Plumlee: Thank you, Mr. Chair. How long has your mom lived at this location?

Ms. Corsale: I was a senior, 2011.

Mr. Plumlee: There is a large lot, a house away, big open space. Is that a privately owned lot, or is that a public space where people get to? If you're facing your mom's house to the right.

Ms. Corsale: I think I know what lot you're speaking of. I'm not aware if it's private or --

Mr. Plumlee: So there's no access to that. I was there Monday. It seemed like, and it was, I don't know, 04:30 in the afternoon. It seemed like a fairly slow lane. Can you describe what, how much traffic goes up and down that street?

Ms. Corsale: It doesn't seem to be very busy, in my opinion. Just people coming in from home. So, in my opinion, I don't see the big issue with the traffic as some of the neighbors are concerned with.

Mr. Plumlee: Have you looked into who would want your services in this area, or their young family is in that neighborhood that would want. These are for kids two to five. We're talking about.

Ms. Corsale: Yes.

Mr. Plumlee: Are you aware if there are going to be clients nearby, folks that want your services nearby, or do you know?

Ms. Corsale: There's always a need for childcare, and the way I'm promoting it as a Montessori-style daycare, so it's not like, just structured. It's more like a classroom. So that's my take on that is there's always a need. I haven't really done too much research on how many families would come and work with us, but and also with licensing, there's a lot of, sorry, getting a little nervous. There's just a lot of regulations, and with them, they also promote your business.

Mr. Plumlee: I see.

Ms. Corsale: Yeah.

Mr. Plumlee: Okay. Thank you very much.

Ms. Corsale: Of course.

Mr. Coston: Ms. Byler.

Ms. Byler: Thank you for coming today. I don't have any qualms about your qualification to run this. I also agree, 100%, that there is a real need for this. However, this is a residential neighborhood, and a substantial number of your neighbors feel this is an inappropriate location for a daycare, and as I listen to you describe it, it really sounds like, you know, it's a business, and there are reasons why businesses don't generally fit inside of residential neighborhoods because of the negative impact on your neighbors, and I'm sure you're sensitive to that also. I just wanted you to understand why I'm very hesitant to recommend approval of this application.

Ms. Corsale: Okay.

Mr. Camp: Mr. Chair, I'd like to make a motion.

Mr. Coston: Well, I've got somebody over here wants to make a motion too, but I have a question first. For staff, the number of twelve children, does the Education Department refine that number, particular to this location, or is it just twelve?

Ms. Corsale: So, in my understanding, zoning has a part to play in how many children you have in the home, but licensing can decrease the amount of children, or increase. Well, we can't go past twelve. But if, for instance, the zoning committee says I could have twelve children in the home, but the licensing comes in and sees no, this isn't appropriate for twelve children, then they can say we could have five or six, or what they recommend.

Staff: So yes, the state department, the education department, they will set the maximum that can be at this, at the house. Twelve is the maximum. This commission also has the ability to change that maximum, as you've done on other applications. If you think there's a number better suited, less than twelve.

Mr. Coston: Commissioner Schoonover wants to make a motion.

Ms. Schoonover: Yes, I'd like to move that we approve this application with two additions: one, the requirement of the railing being put on the bottom, and Mike, if you have any particulars you would like to add to that, and to limit the number of children to ten, please.

Mr. Camp: I'm sorry. Could you repeat that? I couldn't hear it.

Ms. Schoonover: Yes, I wanted to approve the application with two changes. One, adding the requirement that we put the railing up in the back, what Commissioner Anderson was referencing, and to limit the number of children to ten.

Mr. Plumlee: Second.

Mr. Coston: Any discussion?

Mr. Camp: Yes, I concur with Vice Chair Byler's comments, and had I been recognized, I would have put a motion forward to deny this application. I don't find that this particular site is

appropriate for this particular land use. I also believe that the high percentage of neighbors expressing concerns, some of which are very strongly worded, are not accommodated by the applicant. Number three, I also feel that the applicant has stated she would be willing to go with a lower limit of six to try to mitigate this, and that the limit that is being proposed in the current motion of ten is more than that number. It's not changing it too much from the twelve. Six would be a more meaningful change.

Mr. Coston: Make the motion.

Ms. Schoonover: Yes, I made the motion.

Mr. Coston: So, I guess at this point we would need a substitute motion then.

Ms. Byler: I would like to second Commissioner Camp's substitute motion.

Mr. Camp: All right, let me clean that up. I'd like to make a substitute motion that continues to carry forward Commissioner Anderson's preferred recommendation with regard to the stairwell handrail, and that modifies Commissioner Schoonover's original motion with regard to the maximum number, lowering it from ten to six.

Mr. Anderson: I will second Commissioner Camp's motion.

Mr. Coston: Okay, so we have a substitute motion by Commissioner Camp, seconded by Commissioner Anderson.

Ms. Eisenberg: Is there a motion to make the substitute motion the primary motion?

Mr. Coston: Yes.

Mr. Anderson: Yes, I'd like to make the secondary motion a primary.

Clerk: The vote is open.

Mr. Plumlee: I just want to add my comment before we vote. The applicant may want fewer, but our city needs more.

Ms. Eisenberg: And this is just a vote to make the substitute motion, the primary motion, just for everyone's awareness.

Ms. Schoonover: Mine's not showing now, but I don't want to make. I would like to vote against that.

Clerk: Commissioner Cromwell.

Mr. Cromwell: Aye.

Clerk: By a recorded vote of 4 to 6, the motion to make the substitute motion, the main motion, has failed.

Mr. Coston: So now we go back to the --

Ms. Eisenberg: So now the motion on the table is still the primary motion made by Commissioner Schoonover.

Mr. Coston: Madam Clerk, are we ready for the vote?

Clerk: We'll do a verbal vote. Commissioner Mauch?

Mr. Mauch: Aye.

Clerk: Commissioner Camp?

Mr. Camp: Nay.

Clerk: Commissioner Cromwell?

Mr. Cromwell: Nay.

Clerk: Commissioner Anderson?

Mr. Anderson: Nay.

Clerk: Vice Chair Byler?

Ms. Byler: Nay.

Clerk: Chair Coston?

Mr. Coston: Aye.

Clerk: Commissioner Schoonover?

Ms. Schoonover: Aye.

Clerk: Commissioner Plumlee?

Mr. Plumlee: Aye.

Clerk: Commissioner Hippen?

Ms. Hippen: Aye.

Clerk: Commissioner Moorjani?

Ms. Moorjani: Aye.

Clerk: By recorded vote of 6 to 4, item 9, Giuseppina Pollice and Marisa Corsale, has been recommended for approval as modified.

Ms. Corsale: Thank you.

Vote Tally

Commission Member	AYE 6	NAY 4	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			

Conditions

1. The Family Day-Care Home shall be limited to a total of ~~12~~ 10 children.

2. The final number of children permitted in the Family Day-Care Home shall be determined by the Department of Education, in accordance with all applicable regulations and guidelines, but not to exceed the number granted under Condition 1 of this Conditional Use Permit.

3. There shall be only one Home Occupation operating on the property at a time, such as the Family Care-Day Home associated with this Conditional Use Permit.

4. Any parking for the Family Day-Care Home shall utilize the on-site parking spaces or available public parking.

5. Arrival and departure times shall be staggered to avoid vehicular congestion.

6. The applicant shall maintain a license with the Commonwealth of Virginia for childcare.

7. The applicant shall obtain all necessary permits and inspections from the City of Virginia Beach. Prior to operation, the applicant shall obtain a Certificate of Occupancy from the Building Official's Office for use of the house as a Family Day-Care Home.

8. Access to the pool and deck area shall be restricted to prevent children from accessing these areas. The pool and deck area shall be enclosed by a solid structure, fence, or gate at least four feet in height and constructed of a non-climbable material. The enclosure shall be maintained for so long as this Conditional Use Permit remains active.

9. Any outdoor play areas shall be completely enclosed with a solid structure or fence at least four feet in height and constructed of non-climbable, maintenance-free material, such as vinyl plank or composite, and shall be maintained for so long as this Conditional Use Permit is active.

10. City Ordinances and Standards remain applicable to this property. Any site plan/plat submitted with this application must meet all applicable City Codes and Standards before site plan/plat approval will be granted. 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.

11. A side railing attached to the steps of the deck shall be installed. The railing shall be maintained for so long as this Conditional Use Permit remains active.

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 October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Items #10 & 11 Brandon Iachetta
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: The next items are together agenda Items 10 and 11, and that is Brandon Iachetta. Is there a representative here today? Thank you. Please state your name for the record.

Mr. Iachetta: My name is Adrian Iachetta, representative Brandon Iachetta.

Ms. Byler: All right. And are the conditions acceptable?

Mr. Iachetta: Yes, ma'am.

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

Mr. Anderson: Thank you, Madam Vice Chair. This applicant for conditional use permit for a tattoo parlor and a body piercing, located at 481 South Lynnhaven Road, has requested a conditional use permit to operate a tattoo parlor and body piercing establishment within a 1,500 square foot unit of an existing B-2 community Business Zone shopping center. Business will employ up to eight employees. The proposed hours for operation from 10 to 10 a.m. to 7 p.m. daily. Primary operating with scheduled appointments; however, limited walk-in service will be offered on designated days. There is no opposition to this application, so we put it on the consent agenda.

Ms. Byler: Thank you, Commissioner Anderson.

(The following dialogue reflects the discussion to approve the item 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, the several records of minutes and agenda items 2, 6, 7, 10, 11, and 12. I make a motion that these items be approved by consent.

Mr. Plumlee: Second. I do abstain from the one visit, but I was inquiring, 4 and 5 was removed off the consent?

Ms. Byler: That's correct.

Mr. Plumlee: Okay, I just wanted to be clear. Thank you.

Ms. Alcock: If I could just make one point of clarification, Item 2 was also pulled from the consent agenda.

Ms. Byler: Oh, thank you for that correction. So the remaining items on the consent agenda, just for clarity, items 6, 7, 10, 11, and 12.

Mr. Coston: Motion has been made for approval by Vice Chair Byler and seconded by Commissioner Plumlee.

Clerk: The vote is open. By a recorded vote of 10 to 0, with all aforementioned abstentions, all aforementioned minutes and items 6, 7, 10, 11, and 12 have been recommended for approval by consent.

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

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			

Conditions

1. The Conditional Use Permits for a Tattoo Parlor and Body Piercing Establishment apply solely to 481 S Lynnhaven Road.

2. The applicant must comply with Chapter 23-51 of the City Code prior to obtaining a business license for the Tattoo Parlor and Body Piercing Establishment.

3. 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.

4. City Ordinances and Standards remain applicable to this property. Any site plan/plat submitted with this application must meet all applicable City Codes and Standards before site plan/plat approval will be granted. 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.

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 October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #12 Zoe Millay Dukas
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Ms. Byler: Thank you, Commissioner Anderson. The next item is Item 12, and that is Zoe Millay Dukas, property owner. Is there a representative here today? Welcome. Please state your name for the record.

Ms. Dukas: My name is Zoe Dukas. I am the property owner.

Ms. Byler: Thank you, ma'am. Are the conditions acceptable?

Ms. Dukas: Yes, ma'am.

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

Mr. Cromwell: This application comes to us at 3012 Edinburgh Drive. The applicant is requesting a conditional use permit to operate a residential kennel for up to six dogs within an existing 1,826 square foot single-family dwelling on a 1.09 acre R-10 residential District zone parcel, the applicant is seeking approval solely to house her personal pets. No commercial kennel or boarding activities are proposed, and no other animals will be present. All dogs will reside within the existing single-family dwelling. Dogs will only be outside for bathroom breaks and fresh air. The backyard is fully fenced and includes a second interior fence that provides an additional layer of containment. Hearing no opposition to this, we placed it on the consent agenda.

Ms. Byler: Thank you, Commissioner Cromwell. Chair Coston, that was the last item on the consent agenda. The Planning Commission places the following applications on the consent agenda, the several records of minutes and agenda items 2, 6, 7, 10, 11, and 12. I make a motion that these items be approved by consent

Mr. Plumlee: Second. I do abstain from the one visit, but I was inquiring, 4 and 5 was removed off the consent?

Ms. Byler: That's correct.

Mr. Plumlee: Okay, I just wanted to be clear. Thank you.

Ms. Alcock: If I could just make one point of clarification, Item 2 was also pulled from the consent agenda.

Ms. Byler: Oh, thank you for that correction. So the remaining items on the consent agenda, just for clarity, items 6, 7, 10, 11, and 12.

Mr. Coston: Motion has been made for approval by Vice Chair Byler and seconded by Commissioner Plumlee.

Clerk: The vote is open. By a recorded vote of 10 to 0, with all aforementioned abstentions, all aforementioned minutes and items 6, 7, 10, 11, and 12 have been recommended for approval by consent.

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

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			

Conditions

1. No more than 6 dogs shall be housed on the property at any given time.
2. All animal waste from the dogs shall be collected and disposed of in a lawful manner on a weekly basis.
3. All dogs must be properly vaccinated and immunized.
4. All dogs must be licensed through the City of Virginia Beach.
5. Daycare, Training, and Boarding services for dogs or other animals for monetary compensation are not permitted on this site.
6. There shall be no breeding of dogs on the site.
7. City Ordinances and Standards remain applicable to this property. Any site plan/plat submitted with this application must meet all applicable City Codes and Standards before

site plan/plat approval will be granted. 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.

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 October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #13 511 21st Street, LLC
Recommendation: RECOMMENDED FOR APPROVAL

Discussion

Clerk: Our next item is Item 13, 511 21st Street, LLC.

Mr. Plumlee: I believe this applicant is online.

Mr. Fritz: Hi. This is Kevin Fritz, owner of 511 21st Street. We are proposing to make this a short-term rental.

Mr. Plumlee: I have some questions for you. This is Brian Plumlee.

Mr. Fritz: Yes, sir.

Mr. Plumlee: Where are you from? Where are you calling in from?

Mr. Fritz: I'm currently in Northeast Texas.

Mr. Plumlee: So you don't reside in Virginia Beach, is that fair?

Mr. Fritz: No, we do not. This was a purchase for us as a dual-use property. It had been grandfathered in. I went and met with the revenue commissioner. Well, actually, did on the phone, and then Katie Kennedy. So we originally thought that this was grandfathered in as a short-term rental, but apparently he did not pay his or he did not have a renter for two years while his wife was sick, and so we're back to the beginning of the process for the CUP.

Mr. Plumlee: Have you met with any of the neighbors surrounding this property to talk about it being a short-term rental?

Mr. Fritz: No, our next-door neighbor is a renter. Actually, I've got two renters, that one on the left, one on the right, and then the owner of the property on the left, I've spoken to, and have not specifically said, "Hey, do you have any issue with this as a rental?" However, I do know that we're in the proposed overlay, and so my, I'm not sure what else to say about that.

Mr. Plumlee: Have you been to the location?

Mr. Fritz: Of course, yes, we have. We actually have gone, remodeled the property, have stayed in it probably since March, a total of, I would say, a couple of months off and on, maybe a month and a half. And then I've met with, I've met with zoning, multiple individuals within zoning, short-

term rental, DSC. Because we've got to work on the parking, and then, yeah, I think that -- I can hear myself in the background, so I think that's the point I'd like to make.

Mr. Plumlee: Do you own a number of short-term rentals?

Mr. Fritz: No, we do not. We own a number of long-term rentals, but not a number of short-term rentals.

Mr. Plumlee: Do you are you aware of because you've stayed there? How does it function for you getting in and out? The entry point is on the half street, correct?

Mr. Fritz: That's correct. It's well positioned. So there is a 19 by 40 foot parking pad that is currently there. We thought what we were going to do is potentially have to resurface the back parking, but it has a very accessible gate, and then a shed in the back, and then you just walk across the lawn into the property. We've been there both in rainy time and dry time, and find it to be extremely accessible.

Mr. Plumlee: Is it your intent to have short-term rentals year-round at that home?

Mr. Fritz: I think, this is a dual-use property for us. My wife is from Virginia Beach, went to Cox High School, and so eager to get back and spend time there, and so we were considering, I would say primarily considering short-term rental in the summer, with the idea that we could short-term rent it or mid-term rent it in the winter, but there will be a couple of months that we want to be there at the property.

Mr. Plumlee: Thank you very much. Those are my questions. I appreciate it.

Mr. Fritz: Absolutely.

Mr. Plumlee: I have a motion to approve this short-term rental request at this location, with the condition that the conditional use permit shall not be activated until the short-term rental is in good standing with the Commissioner of Revenue and is registered to pay taxes for this use.

Ms. Schoonover: Second.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Schoonover that this item be approved.

Clerk: The vote is open. Commissioner Anderson, your vote.

Mr. Anderson: Yay.

Clerk: By a recorded vote of 10 to 0, Item 13, 511 21st Street, LLC has been recommended for approval as modified.

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			

Conditions/Proffers

1. The following conditions shall only apply to the dwelling unit addressed as 511 21st Street, and the Short Term Rental use shall only occur in the principal structure.

2. A driveway shall be installed designed in accordance with all applicable city standards with an approved driveway permit prior to the issuance of the first Short Term Rental Annual Permit.

3. An annual (yearly) STR Zoning Permit must be obtained from the Department of Planning and Community Development (Zoning Administration) before using the dwelling for Short-Term Rental purposes.

4. Off-street parking shall be provided as required by Section 241.2 and 2303(b)(a)(i)(ii) of the City Zoning Ordinance or as approved by City Council.

5. All required parking spaces, including off-site spaces, shall be subject to review and approval by the Zoning Administrator and shall be available for use by the Short Term Rental occupants at all times.

6. For properties located within the boundaries of the Residential Parking Permit Program (RPPP), while the Short Term Rental use is active, parking passes issued for the subject dwelling unit(s) through the RPPP shall be limited to two (2) resident passes only. Guest and temporary passes through the RPPP shall not be permitted.

7. This Conditional Use Permit shall expire five (5) years from the date of approval. The renewal process of this Conditional Use Permit may be administrative and performed by the Planning Department; however, the Planning Department shall notify the City Council in writing prior to the renewal of any Conditional Use Permit for a Short Term Rental where the Short Term Rental has been the subject of neighborhood complaints, violations of its conditions or violations of any building, housing, zoning, fire or other similar codes.

8. No events associated with the Short Term Rental shall be permitted with more than the allowed number of people who may stay overnight (number of bedrooms times two (2)) on

the property where the Short Term Rental is located. This Short Term Rental may not request or obtain a Special Event Permit under City Code Section 4-1.

9. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator or an agent of the owner or operator, who is available to be contacted and to address conditions occurring at the Short Term Rental within thirty (30) minutes and to be physical present at the Short Term Rental within one (1) hour.

10. If, or when, the ownership of the property changes, it is the seller's responsibility to notify the new property owner of requirements 'a' through 'c' below. This information must be submitted to the Planning Department for review and approval. This shall be done within six (6) months of the property real estate transaction closing date.

    a) A completed Department of Planning and Community Development Short Term Rental Zoning Permit; and

    b) Copies of the Commissioner of Revenue's Office receipt of registration; and

    c) Proof of liability insurance applicable to the rental activity of at least one million dollars.

11. To the extent permitted by state law, each Short Term Rental must maintain registration with the Commissioner of Revenue's Office and pay all applicable taxes.

12. There shall be posted in a conspicuous place within the dwelling a summary provided by the Zoning Administrator of City Code Sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach), 12-43.2 (fireworks), and a copy of any approved parking plan.

13. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code sections 31-26, 31-27 and 31-28.

14. Accessory structures shall not be used or occupied as Short Term Rentals.

15. No signage, except architectural signs naming the structure or other signs as permitted under Sec. 211 shall be permitted on-site, except that each short term rental shall have one (1) four-square foot sign posted on the building, or other permanent structure or location approved by the Zoning Administrator, that identifies the property as a short term rental and provides the telephone numbers for the Short Term Rental Hotlines in text large enough to be read from the public street. The sign required by this section shall include the owner or property manager's contact information.

16. The Short Term Rental shall have no more than one (1) rental contract for every seven (7) consecutive days.

17. The owner or operator shall provide proof of liability insurance applicable to the rental activity at registration and renewal of at least one million dollars ($1,000,000) underwritten by insurers acceptable to the City.

18. There shall be no outdoor amplified sound after 10:00 p.m. or before 10:00 a.m.

19. The maximum number of persons on the property after 11:00 p.m. and before 7:00 a.m. ("Overnight Lodgers") shall be two (2) individuals per bedroom, which number shall not include minors under the age of 16, provided that in no case may the total number of persons staying overnight at the property exceed the number of approved bedrooms multiplied by three (3).

20. The property owner, or their representative, shall provide to the City Planning Department permission to inspect the Short Term Rental property at any time or times during the permitting process. Such inspection shall include: 1) At least one fire extinguisher has been installed inside the unit (in the kitchen) and in plain sight 2) Smoke alarms and carbon monoxide detectors are installed in accordance with the building code in effect at the time of construction and interconnected. Units constructed prior to interconnection requirements must have a minimum of one smoke alarm installed on every floor of the structure and in the areas adjacent to all sleeping rooms, and when activated, be audible in all sleeping rooms, 3) All smoke alarms and carbon monoxide detectors have been inspected within the last twelve months and are in good working order, and 4) a document showing the required parking approved by the zoning administrator posted in the unit.

    a) A property inspection is required when an operator first applies for a short term rental permit and a subsequent inspection shall occur every five (5) years. In years when an inspection is not required, the property owner or their representative shall submit an attestation to the Department of Planning and Community Development confirming that the short term rental is in compliance with the requirements set forth in this section. If the planning department has good cause to believe that a safety violation exists on the property, it shall conduct an inspection prior to renewing the permit.

    b) Properties may be inspected annually for compliance with the requirements above by certified Short Term Rental Management Companies or Certified Home Inspectors. The compliance inspection shall be documented on a form prescribed by the Planning Department and shall be provided during the permit process.

21. A structural safety inspection report shall be provided to the city every five (5) years indicating all exterior stairways, decks, porches, and balconies with a finished height more than 30 inches above ground level have been inspected by either a licensed design professional, or a licensed and insured Class A, B, or C general contractor qualified to perform such inspection and are safe for use. The report must confirm the structure has been built to the applicable residential building code standards and are free of observable damage that would render the structure unsafe for use. However, said report shall not be required for an initial period of five (5) years for new construction inspected at the time of completion by the City's Permits and Inspections Division.

22. <u>The Conditional Use Permit for the Short Term rental shall not be activated until the property is in good standing with the Commissioner of the Revenue.</u>

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.

The applicant shall prepare and maintain, to the satisfaction of the City of Virginia Beach's Fire Marshal's Office, a fire safety and evacuation plan in accordance with Chapter 4 of the Virginia Statewide Fire Prevention Code.

Virginia Beach Planning Commission October 14, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.

Public Meeting Item #14 Alexandra & Constance Mensing
Recommendation: RECOMMENDED FOR (APPROVAL/DENIAL/30/60/90-DEFERRAL/WITHDRAWAL)

Discussion

Clerk: Our final item is Item 14, Alexandra and Constance Mensing.

Ms. Mensing: Good afternoon.

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

Ms. Mensing: Yes, sir. My name is Constance Mensing, and we have applied for a short-term rental permit at 414 22nd and a Half Street. Like the gentleman before me, I've spent some time there since June, when we purchased the property. So some of the questions you asked him, I have some information. I've spent quite a bit of time there. We did some painting and remodeling and things like that. So I stayed at the property while I worked on those, and I've gotten to know most of the neighbors. They're a good group of people. They're mostly my age, some of them older, so it's fairly quiet. There's, as far as the traffic, there's really there's very little traffic honestly. There's a lot of foot traffic and bicycle traffic, but it's rare that vehicles go back and forth because there's nowhere to go unless you live back there. There's really no reason for you to be back there. Some of the parking, actually next door to me, the parking is for the building that faces the street behind me, which I believe is 23rd Street on the back of our house, so it's quiet and everybody knows where they're allowed to park. We kind of cooperate with each other if there's delivery to be made or something, we'll ask, you know, to move a car here or there, and the only rental that I'm aware of short term on that block right now is the one directly across the street from ours, and I was there most of July and into August daily. I stayed there for about six weeks, and they had renters all the time in and out, and they were, they were lovely. I mean, they were quiet. They were mostly families. They were, you know, they parked their cars in the driveway and walked everywhere or rode bikes. So there was, I don't know, I think, it's wonderful. It's a wonderful neighborhood. It's a wonderful location. It's very quiet, and I trying to think, what else you might have asked him. I don't reside. You asked him the same. You may want to know. I don't live here. I live in North Carolina. My daughter, though, is a Virginia Beach resident, and she's just a few miles away from the property. Is there anything else?

Mr. Plumlee: Well, you were kind enough to meet with me before this formal, and we talked about these things. This is the kind of information we need to get up before council because they're considering this area actively. I think it's important to understand. The only complaints I've heard, well, the primary complaint I've heard is on these half streets where you have parking going on in and out. It has, on occasion, blocked people's ability to use their property conveniently at times. Doesn't always last that long, but it has been sort of a consistent theme, but I think you've addressed that, and I appreciate it very much.

Ms. Mensing: You're very welcome.

Mr. Mauch: Ms. Mensing, how long have you owned the property for?

Ms. Mensing: We purchased it in June of this year. So we haven't rented it yet. We've been going through this process, and my daughter's military, so she's gone a lot, and I don't work as fast as I used to. So I've been working on my own there primarily. So that's why I spent so much time there. It takes a while for me to paint a room now.

Mr. Plumlee: Yeah.

Mr. Coston: Thank you.

Ms. Mensing: You're welcome.

Mr. Coston: Any further questions?

Mr. Plumlee: Mr. Chair, a motion that the conditional use permit be granted for a short-term rental, but it not be activated until the short-term rental is in good standing with the Commissioner of Revenue. I move to approve.

Ms. Schoonover: Second.

Mr. Coston: It has been moved by Commissioner Plumlee and seconded by Commissioner Schoonover that this item be approved.

Mrs. Mesning: Thank you much.

Clerk: The vote is open. Commissioner Cromwell, your vote.

Mr. Cromwell: Aye.

Clerk: By a recorded vote of 10 to 0, Item 14, Alexandra and Constance Mensing has been recommended for approval as modified.

Mr. Coston: We thank everyone for coming out today and participating. This meeting is adjourned.

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			

Conditions/Proffers

1. The following conditions shall only apply to the dwelling unit addressed as 414 22nd ½ Street, and the Short Term Rental use shall only occur in the principal structure.

2. An annual (yearly) STR Zoning Permit must be obtained from the Department of Planning and Community Development (Zoning Administration) before using the dwelling for Short-Term Rental purposes.

3. Off-street parking shall be provided as required by Section 241.2 and 2303(b)(a)(i)(ii) of the City Zoning Ordinance or as approved by City Council.

4. All required parking spaces, including off-site spaces, shall be subject to review and approval by the Zoning Administrator and shall be available for use by the Short Term Rental occupants at all times.

5. For properties located within the boundaries of the Residential Parking Permit Program (RPPP), while the Short Term Rental use is active, parking passes issued for the subject dwelling unit(s) through the RPPP shall be limited to two (2) resident passes only. Guest and temporary passes through the RPPP shall not be permitted.

6. This Conditional Use Permit shall expire five (5) years from the date of approval. The renewal process of this Conditional Use Permit may be administrative and performed by the Planning Department; however, the Planning Department shall notify the City Council in writing prior to the renewal of any Conditional Use Permit for a Short Term Rental where the Short Term Rental has been the subject of neighborhood complaints, violations of its conditions or violations of any building, housing, zoning, fire or other similar codes.

7. No events associated with the Short Term Rental shall be permitted with more than the allowed number of people who may stay overnight (number of bedrooms times two (2)) on the property where the Short Term Rental is located. This Short Term Rental may not request or obtain a Special Event Permit under City Code Section 4-1.

8. The owner or operator must provide the name and telephone number of a responsible person, who may be the owner, operator or an agent of the owner or operator, who is available to be contacted and to address conditions occurring at the Short Term Rental within thirty (30) minutes and to be physical present at the Short Term Rental within one (1) hour.

9. If, or when, the ownership of the property changes, it is the seller's responsibility to notify the new property owner of requirements 'a' through 'c' below. This information must be submitted to the Planning Department for review and approval. This shall be done within six (6) months of the property real estate transaction closing date.

    a) A completed Department of Planning and Community Development Short Term Rental Zoning Permit; and

    b) Copies of the Commissioner of Revenue's Office receipt of registration; and

    c) Proof of liability insurance applicable to the rental activity of at least one million dollars.

10. To the extent permitted by state law, each Short Term Rental must maintain registration with the Commissioner of Revenue's Office and pay all applicable taxes.

11. There shall be posted in a conspicuous place within the dwelling a summary provided by the Zoning Administrator of City Code Sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach), 12-43.2 (fireworks), and a copy of any approved parking plan.

12. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code sections 31-26, 31-27 and 31-28.

13. Accessory structures shall not be used or occupied as Short Term Rentals.

14. No signage, except architectural signs naming the structure or other signs as permitted under Sec. 211 shall be permitted on-site, except that each short term rental shall have one (1) four-square foot sign posted on the building, or other permanent structure or location approved by the Zoning Administrator, that identifies the property as a short term rental and provides the telephone numbers for the Short Term Rental Hotlines in text large enough to be read from the public street. The sign required by this section shall include the owner or property manager's contact information.

15. The Short Term Rental shall have no more than one (1) rental contract for every seven (7) consecutive days.

16. The owner or operator shall provide proof of liability insurance applicable to the rental activity at registration and renewal of at least one million dollars ($1,000,000) underwritten by insurers acceptable to the City.

17. There shall be no outdoor amplified sound after 10:00 p.m. or before 10:00 a.m.

18. The maximum number of persons on the property after 11:00 p.m. and before 7:00 a.m. ("Overnight Lodgers") shall be two (2) individuals per bedroom, which number shall not

include minors under the age of 16, provided that in no case may the total number of persons staying overnight at the property exceed the number of approved bedrooms multiplied by three (3).

19. The property owner, or their representative, shall provide to the City Planning Department permission to inspect the Short Term Rental property at any time or times during the permitting process. Such inspection shall include: 1) At least one fire extinguisher has been installed inside the unit (in the kitchen) and in plain sight 2) Smoke alarms and carbon monoxide detectors are installed in accordance with the building code in effect at the time of construction and interconnected. Units constructed prior to interconnection requirements must have a minimum of one smoke alarm installed on every floor of the structure and in the areas adjacent to all sleeping rooms, and when activated, be audible in all sleeping rooms, 3) All smoke alarms and carbon monoxide detectors have been inspected within the last twelve months and are in good working order, and 4) a document showing the required parking approved by the zoning administrator posted in the unit.

    a) A property inspection is required when an operator first applies for a short term rental permit and a subsequent inspection shall occur every five (5) years. In years when an inspection is not required, the property owner or their representative shall submit an attestation to the Department of Planning and Community Development confirming that the short term rental is in compliance with the requirements set forth in this section. If the planning department has good cause to believe that a safety violation exists on the property, it shall conduct an inspection prior to renewing the permit.

    b) Properties may be inspected annually for compliance with the requirements above by certified Short Term Rental Management Companies or Certified Home Inspectors. The compliance inspection shall be documented on a form prescribed by the Planning Department and shall be provided during the permit process.

20. A structural safety inspection report shall be provided to the city every five (5) years indicating all exterior stairways, decks, porches, and balconies with a finished height more than 30 inches above ground level have been inspected by either a licensed design professional, or a licensed and insured Class A, B, or C general contractor qualified to perform such inspection and are safe for use. The report must confirm the structure has been built to the applicable residential building code standards and are free of observable damage that would render the structure unsafe for use. However, said report shall not be required for an initial period of five (5) years for new construction inspected at the time of completion by the City's Permits and Inspections Division.

21. <u>The Conditional Use Permit for the Short Term rental shall not be activated until the property is in good standing with the Commissioner of the Revenue.</u>

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.

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The applicant shall prepare and maintain, to the satisfaction of the City of Virginia Beach's Fire Marshal's Office, a fire safety and evacuation plan in accordance with Chapter 4 of the Virginia Statewide Fire Prevention Code.