



Planning Commission Agenda

April 14, 2021

VB City of
Virginia Beach

The Virginia Beach Planning Commission Public Hearing is carried LIVE on VBTv, which is available on Cox Cable Channel 48, Verizon Cable Channel 45 and on VBgov.com's Media Center webpage at <http://www.vbgov.com/media/pages/videos.aspx>. The meeting is recast on Cox Channel 48 and Verizon Channel 45 the following morning at 9 a.m. and on Cox Channel 47 and Verizon Cable Channel 47 at 7 p.m. on the two consecutive Fridays following the live meeting. The meeting will also be available on the Media Center webpage for two months beginning the Friday after the live hearing.

Planning Commission Hearing Procedures

In accordance with Virginia Code § 2.2-3708.2, Virginia Code § 15.2-1413 and the City's Continuity of Government Ordinance adopted on March 2, 2021, and Chapter 1289 of the 2020 Acts of Assembly as amended, a Public Hearing of the Virginia Beach Planning Commission will be held on **Wednesday, April 14, 2021 at 12:00 p.m. in Suite 5 of the Virginia Beach Convention Center**. Due to physical distancing and safety precautions related to the pandemic, limited public seating will be available in Suite 5, with overflow seating in Suite 4. Members of the public will be able to observe the Planning Commission meeting through livestreaming on www.vbgov.com, broadcast on VBTV, and via WebEx. Citizens who wish to speak can sign up to speak either in-person at the Convention Center or virtually via WebEx by completing the two-step process below. Citizens signed up to speak in-person who cannot be seated in Suite 5 will wait in Suite 4 of the Convention Center until called into the meeting room to speak. In-person speakers will be required to follow physical distancing and safety protocols, including wearing a mask while in the Convention Center. Citizens requiring accommodations to these requirements are encouraged to participate through electronic means or to contact the Planning Department at 757-385-4621 to discuss accommodations. A Staff briefing session will be held at 9:00 a.m.. All interested parties are invited to observe.

If you wish to make comments virtually during the public hearing, please follow the **two-step process** provided below:

1. Register for the WebEx at:
<https://vbgov.webex.com/vbgov/onstage/g.php?MTID=ec6dd000457fa6dfa42033182b0f4886c>
2. Register with the Planning Department by calling 757-385-4621 or via email at sHeederi@vbgov.com prior to 5:00 p.m. on April 13, 2021.

Copies of the proposed plans, ordinances, amendments and/or resolutions are on file and may be examined by appointment in the Planning Department at 2875 Sabre St, Suite 500, Virginia Beach, VA 23452 or online at www.vbgov.com/pc. For information call 757-385-4621. Staff Reports will be available on the webpage 5 days prior to the meeting.

If you require a reasonable accommodation for this meeting due to a disability, please call the Planning Department at 757-385-4621. If you are hearing impaired, you can contact Virginia Relay at 711 for TDD service. The meeting will be broadcast on cable TV, www.vbgov.com and Facebook Live.

Due to the ongoing Covid-19 Pandemic, please check our website at www.vbgov.com/pc for the most updated meeting information.

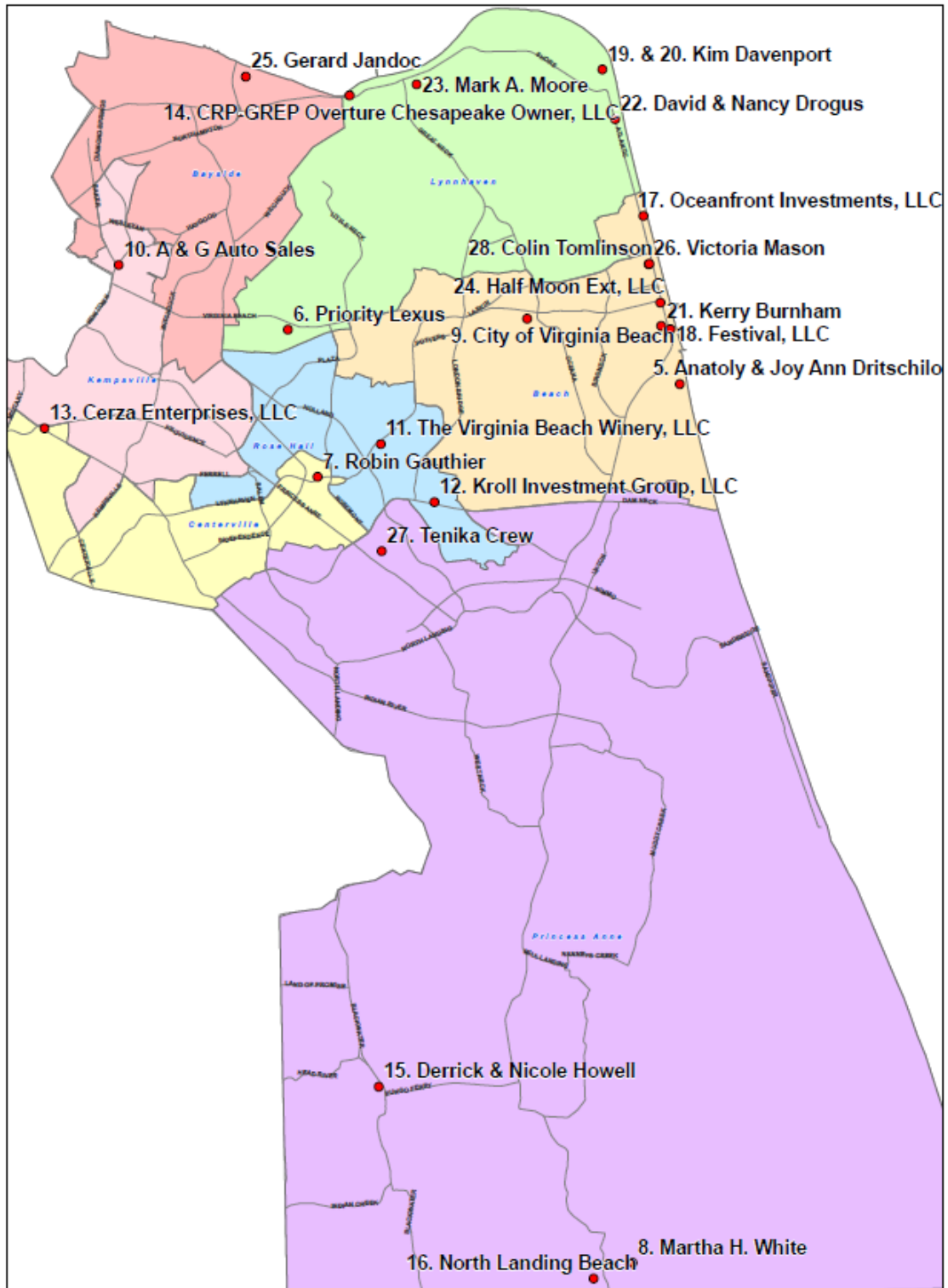
- * Deferral
- ** Withdrawal

The following describes the order of business for the Public Hearing.

1. **Withdrawals and Deferrals:** The first order of business is the consideration of withdrawals or requests to defer an item. The Commission will ask those who are signed up to speak at the hearing if there are any requests to withdraw or defer an item that is on the agenda. **Please note the requests that are made, as one of the items being withdrawn or deferred may be the item that you have an interest in.** Please confine your remarks to the deferral or withdrawal request and do not address the issues of the application – in other words, please let the Commission know why deferring or withdrawing the application is unacceptable rather than discussing what your specific issue is with the application.
2. **Consent Agenda:** The second order of business is consideration of the “consent agenda.” The consent agenda contains those items that the Planning Commission believes are unopposed and which have a favorable Staff recommendation. If an item is placed on the Consent Agenda, that item will be heard with other items on the agenda that appear to be unopposed and have a favorable staff recommendation. The Commission will vote on all of the items at one time. Once the Commission has approved the item as part of the Consent Agenda, it is deemed approved and will not be discussed any further.
3. **Regular Agenda:** The Commission will then proceed with the remaining items on the agenda, according to the following process:
 - a. The applicant or applicant’s representative will have 10 minutes to present its case.
 - b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
 - c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
 - d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
 - e. The applicant or applicant’s representative will then have 3 minutes for rebuttal of any comments from the opposition.
 - f. There is then discussion among the Commission members. No further public comment will be heard at that point.
 - g. The Commission does not allow slide or computer generated projections other than those prepared by the Planning Department Staff.
 - h. The Commission asks that speakers not be repetitive or redundant in their comments. Petitions may be presented and are encouraged. If you are part of a group, the Commission requests, in the interest of time, that you use a spokesperson.

Planning Commission action is not a final determination regarding the application, but only a recommendation to the City Council of the viewpoint of the Planning Commission. Final determination of the application will be made by City Council at a later date after public notice in the Virginian Pilot/Beacon.

APRIL 14, 2021 PLANNING COMMISSION AGENDA



* Deferral
** Withdrawal

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APRIL 14, 2021
PLANNING COMMISSION AGENDA

A.
COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

12:00 P.M. – PUBLIC HEARING

1. City of Virginia Beach APPROVAL (COUNCIL on April 21) – An Ordinance to Amend Section 2-385 of the City Code Pertaining to the Establishment of a Short Term Rental Zoning Permit

2. City of Virginia Beach APPROVAL (COUNCIL on April 21) – An Ordinance to Amend Section 232 of the City Zoning Ordinance Pertaining to Communication Towers and Fee

3. City of Virginia Beach APPROVAL (COUNCIL on May 18) – An Ordinance to Amend Sections 207 and 232 of the City Zoning Ordinance Pertaining to Communication Towers, Small Cell Facilities, and Building Mounted Antenna

4. City of Virginia Beach APPROVAL (COUNCIL on May 18) – An Ordinance to Amend the City Zoning Ordinance Sections 301, 401, 501, 601, 701, 801, 901, 1001, 1501, 1521, 1531, 2203 and Sections 5.2, 5.2.16, and 5.3.17 of the Form Based Code, Oceanfront Resort District Pertaining to Communication Towers, Small Cell Facilities, Building Mounted Antenna and Temporary Towers

5. APPROVAL (COUNCIL on June 1)
Anatoly & Joy Ann Dritschilo (Applicants & Property Owners)

Street Closure

Address: 7.5-foot by 50-foot portion of an unimproved alley adjacent to 737 Vanderbilt Avenue

GPIN(s): Adjacent to 2426385081

Council District: Beach

Accela Record: 2021-PCCC-00023

Staff Planner: Marchelle Coleman

Request to close the remain half of the 15 ft. alley way.



- * Deferral
- ** Withdrawal

6. **WITHDRAWAL**

Priority Lexus (Applicant)

Elmer Properties Bonney Road, LLC (Property Owner)

Conditional Use Permit (Bulk Storage Yard)

Address: 3962 Bonney Road

GPIN(s): 1487133867

Council District: Lynnhaven

Accela Record: 2021-PCCC-00026

Staff Planner: Marchelle Coleman

Request to operate an outdoor storage yard for motor vehicles.



7. **APPROVAL (COUNCIL on May 18)**

Robin Gauthier, CEO on behalf of Samaritan House, Inc. (Applicant)

Catholic Diocese of Richmond Virginia & Episcopal Diocese of Southeastern Virginia (Property Owners)

Conditional Use Permit (Group Home)

Address: 1593 Lynnhaven Parkway

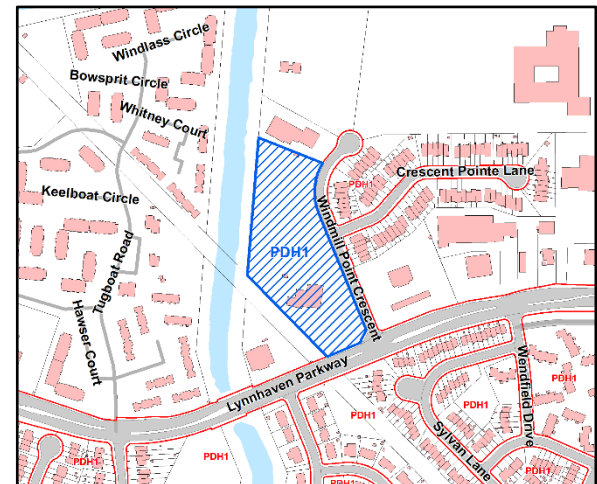
GPIN(s): 1485484285

Council District: Centerville

Accela Record: 2021-PCCC-00020

Staff Planner: Marchelle Coleman

Request to operate a Group Home for up to 8 children.



8. **APPROVAL (COUNCIL on May 18)**

Martha H. White (Applicant)

Steven K. Finger et al. (Property Owners)

Subdivision Variance (Section 4.4(b) of the Subdivision Regulations)

Address: 6332 Pocahontas Club Road

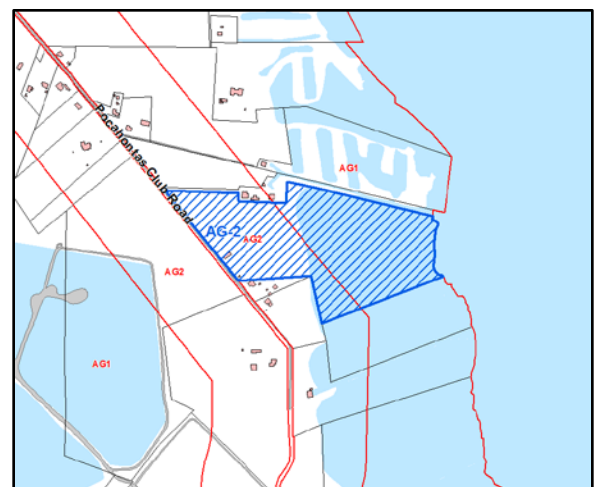
GPIN(s): 2317838118

Council District: Princess Anne

Accela Record: 2021-PCCC-00034

Staff Planner: Marchelle Coleman

Request to subdivide the 30.1-acre parcel into two lots, where the proposed lots are deficient in lot area located upland of water, marsh, wetland, or floodplain.



- * Deferral
- ** Withdrawal

9. APPROVAL (COUNCIL on May 18)

City of Virginia Beach (Applicant & Property Owner)

Rezoning (R-5D Residential Duplex to R-7.5 Residential)

Address: 206 Bob Lane

GPIN(s): 2407751034

Council District: Beach

Accela Record: 2021-PCCC-00027

Staff Planner: Marchelle Coleman

Request to rezone the property to R-7.5 to consolidate with the adjacent parcels. No dwelling will be constructed onsite.



10. APPROVAL (COUNCIL on May 18)

A & G Auto Sales (Applicant)

G & A Properties, LLC (Property Owner)

Conditional Use Permit (Motor Vehicle Sales & Rentals)

Address: 604 Newtown Road

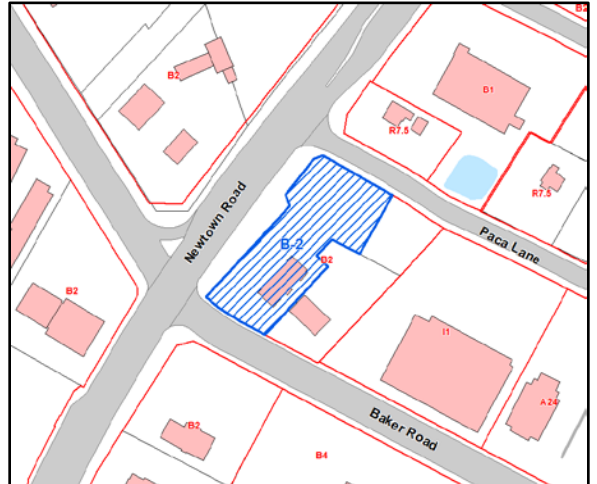
GPIN(s): 1468301875

Council District: Kempsville

Accela Records: 2021-PCCC-00001

Staff Planner: Marchelle Coleman

An application for motor vehicle sales and rentals.



11. APPROVAL (COUNCIL on May 18)

The Virginia Beach Winery, LLC (Applicant)

Sifen Development Company, Inc. (Property Owner)

Conditional Use Permit (Craft Winery)

Address: 1064 Lynnhaven Parkway, Suite 113

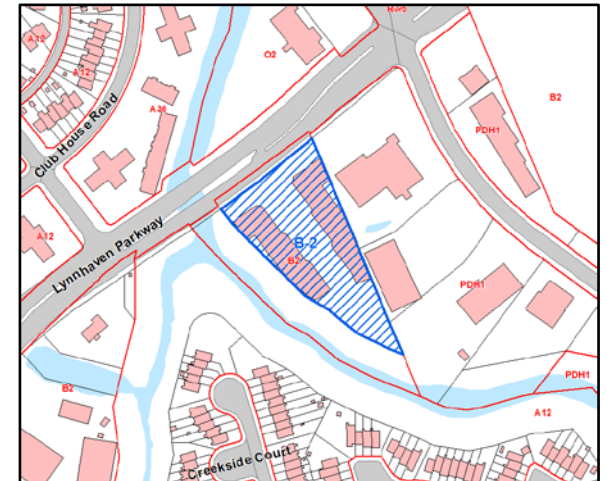
GPIN(s): 1496113563

Council District: Rose Hall

Accela Record: 2021-PCCC-00019

Staff Planner: Hoa N. Dao

Request to operate a craft winery.



- * Deferral
- ** Withdrawal

12. APPROVAL (COUNCIL on May 18)

Kroll Investment Group, LLC (Applicant & Property Owner)

Modification of Proffers

Address: 1529 Taylor Farm Road

GPIN(s): 1495752206

Council District: Rose Hall

Accela Record: 2021-PCCC-00024

Staff Planner: Hoa N. Dao

Request to include cement fiber (i.e. hardie plank) as an permitted building construction material.



13. APPROVAL (COUNCIL on May 18)

Cerza Enterprises, LLC (Applicant & Property Owner)

Conditional Use Permit (Motor Vehicle Sales)

Address: 6056 Indian River Road

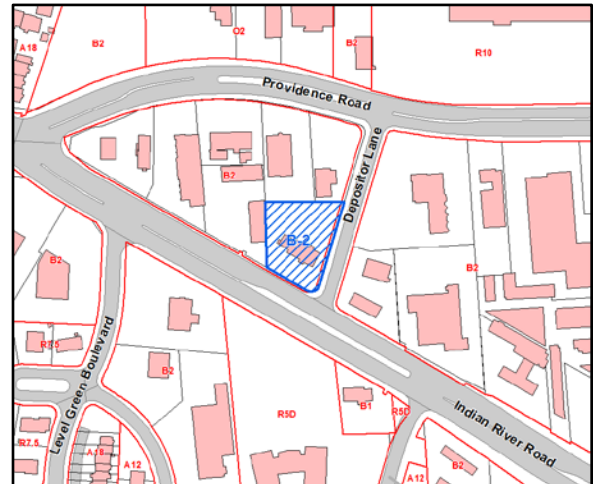
GPIN(s): 1456531283

Council District: Centerville

Accela Record: 2021-PCCC-00022

Staff Planner: Hoa N. Dao

Request to operate a motor vehicle sales business on a 33,150 sq. ft. parcel.



14. APPROVAL (COUNCIL on May 18)

CRP-GREP Overture Chesapeake Owner, LLC (Applicant)

CFC, LLC (Property Owner)

Modification of Conditions

Address: 3399 Ocean Shore Avenue

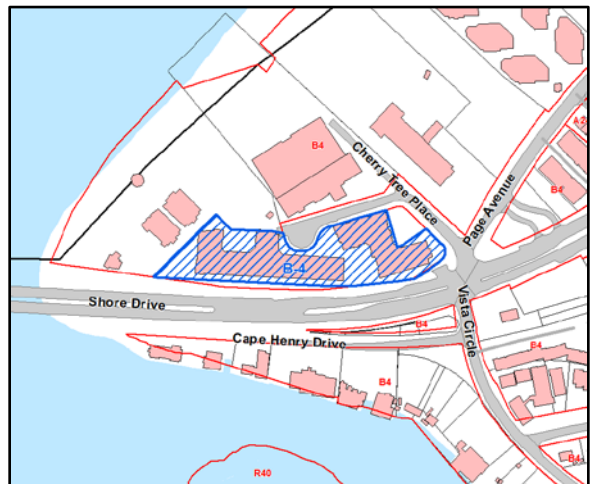
GPIN(s): 1489809680

Council District: Lynnhaven

Accela Records: 2021-PCCC-00010

Staff Planner: Hoa N. Dao

Request to place a monument sign along Cherry Tree Place.



- * Deferral
- ** Withdrawal

15. APPROVAL (COUNCIL on May 18)

Derrick & Nicole Howell (Applicants & Property Owners)

Conditional Use Permit (Outdoor Recreation Facility)

Address: 5409 Blackwater Road

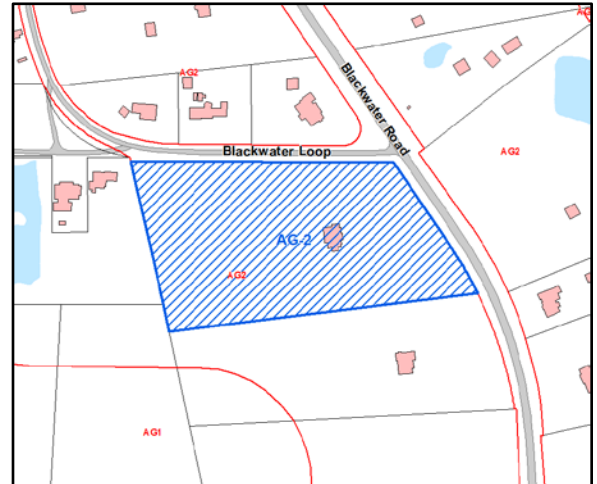
GPIN(s): 1399121357

Council District: Princess Anne

Accela Record: 2020-PCCC-00338

Staff Planner: Hoa N. Dao

An after-the-fact application for a baseball field.



16. APPROVAL (COUNCIL on May 18)

North Landing Beach RV Resort & Cottages – Virginia Beach, LLC (Applicant & Property Owner)

Modification of Conditions (Recreational Campground)

Address: 161 Princess Anne Road

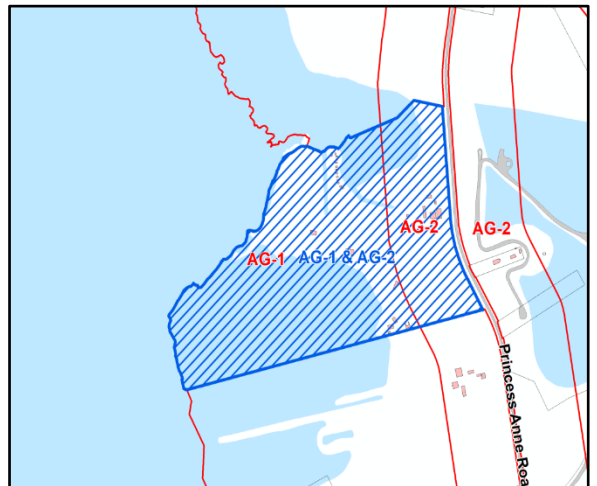
GPIN(s): 2317412793

Council District: Princess Anne

Accela Record(s): 2020-PCCC-00240

Staff Planner: Whitney McNamara

Request for marina, boat storage, gazebo, event space, ship store, and expansion of existing activity building.



17. APPROVAL (COUNCIL on May 4)

Oceanfront Investments, LLC (Applicant & Property Owner)

Street Closure

Address: Portion of Atlantic Avenue adjacent to 4201 Atlantic Avenue

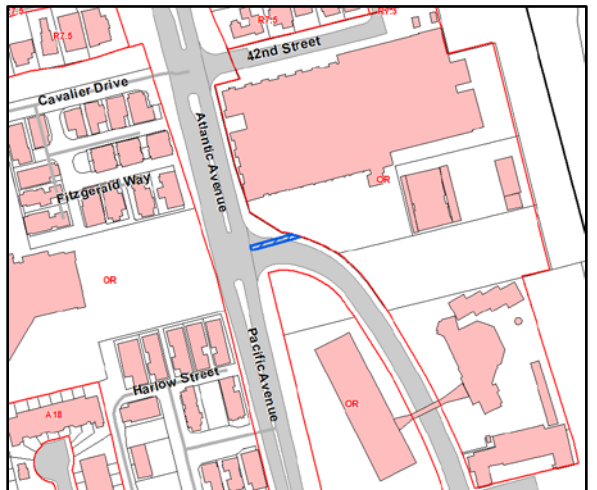
GPIN(s): Adjacent to 2418966049

Council District: Beach

Accela Record: 2021-PCCC-00030

Staff Planner: Ashby Moss

Request to close a portion of Atlantic Avenue in order to install a monument-style freestanding sign.



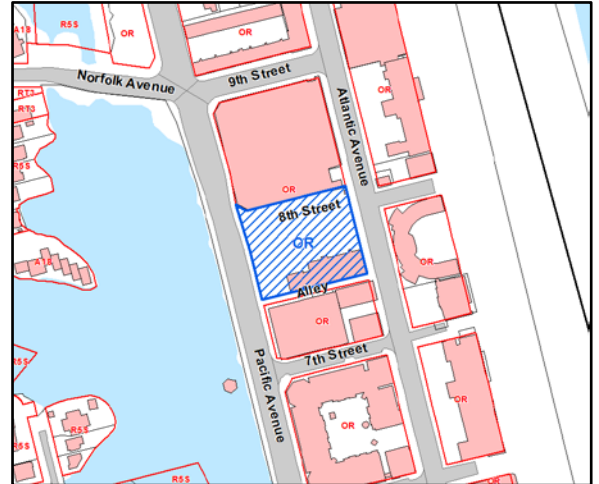
- * Deferral
- ** Withdrawal

18. APPROVAL (COUNCIL on May 18)
Festival, LLC (Applicant & Property Owner)

Alternative Compliance

Address: 712 Atlantic Avenue
GPIN(s): 2427235940
Council District: Beach
Accela Record: 2020-PCCC-00340
Staff Planner: Ashby Moss

Request for outdoor dining and entertainment, outdoor recreation, commercial parking lot, open air market, and recurring special events on site with various outbuildings and structures that does not meet the build-to or parking setback requirements.



SHORT TERM RENTALS

19. & 20. DENIAL
Kim Davenport (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 8809 Atlantic Avenue Units A&B
GPIN: 2510512836
Council District: Lynnhaven
Accela Record(s): 2020-PCCC-00307, 2020-PCCC-00308
Staff Planner: Will Miller

Request for a 2, 2-bedroom Short Term Rentals.

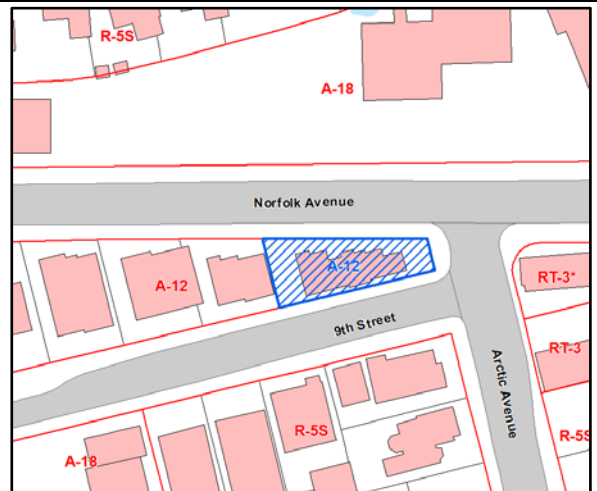


21. APPROVAL (COUNCIL on June 1)
Kerry Burnham (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 400 Norfolk Avenue Unit B
GPIN(s): 24271452670002
Council District: Beach
Accela Record(s): 2021-PCCC-00014
Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal

22. DEFERRAL

David & Nancy Droqus (Applicants & Property Owners)

Conditional Use Permit (Short Term Rental)

Address: 117 73rd Street Unit A

GPIN(s): 24196664250001

Council District: Lynnhaven

Accela Record(s): 2021-PCCC-00018

Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



23. APPROVAL (COUNCIL on June 1)

Mark A. Moore (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 2229 Maple Street

GPIN(s): 1590502214

Council District: Lynnhaven

Accela Record(s): 2021-PCCC-00038

Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



24. APPROVAL (COUNCIL on June 1)

Half Moon Ext, LLC (Applicant)

James Goldstein (Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 305 16th Street Unit A

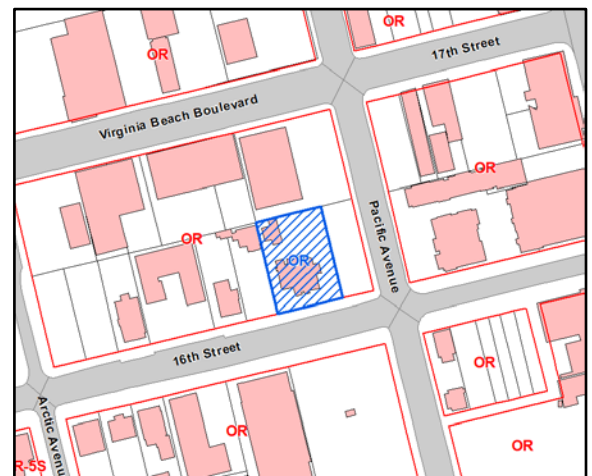
GPIN(s): 2427164786

Council District: Beach

Accela Record(s): 2021-PCCC-00039

Staff Planner: Will Miller

Request for a 2-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal

25. DENIAL (COUNCIL on June 1)

Gerard Jandoc (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 4503 Guam Street

GPIN(s): 15706181504503

Council District: Bayside

Accela Record(s): 2020-PCCC-00341

Staff Planner: Will Miller

Request for a 2-bedroom Short Term Rental.



26. APPROVAL (COUNCIL on June 1)

Victoria Mason (Applicant)

Dominic Mason (Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 304 28th Street Unit 207

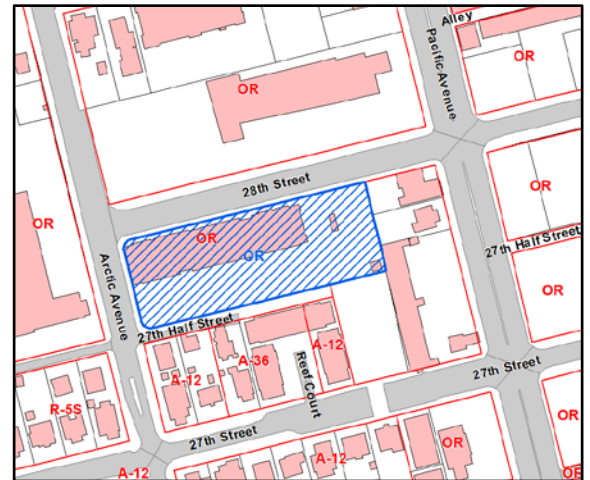
GPIN(s): 24280028662007

Council District: Beach

Accela Record(s): 2021-PCCC-00035

Staff Planner: Summer Peebles

Request for a 2-bedroom Short Term Rental.



27. DENIAL (COUNCIL on June 1)

Tenika Crew (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 3236 Winterberry Lane

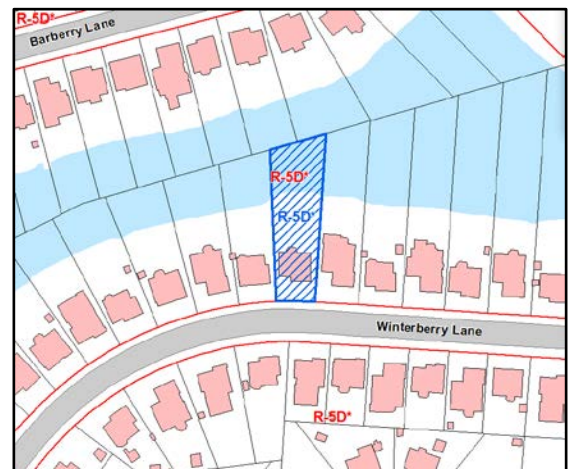
GPIN(s): 1495104055

Council District: Princess Anne

Accela Record(s): 2021-PCCC-00037

Staff Planner: Summer Peebles

Request for a 4-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal

28. APPROVAL (COUNCIL on June 1)

Colin Tomlinson (Applicant)

Jason Walker (Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 304 28th Street Unit 111

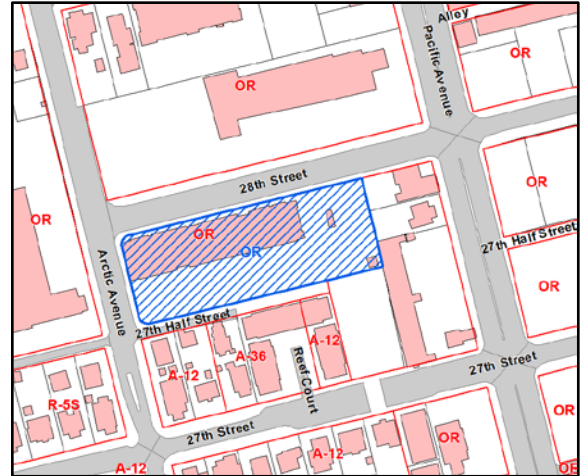
GPIN(s): 24280028661011

Council District: Beach

Accela Record(s): 2021-PCCC-00040

Staff Planner: Summer Peebles

Request for a 2-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal