

Planning Commission Agenda

June 9, 2021



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, June 9, 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=e482ebc159b4d9dc262df2b251b89afee>
2. Register with the Planning Department by calling 757-385-4621 or via email at niGarrido@vbgov.com prior to 5:00 p.m. on June 8, 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.

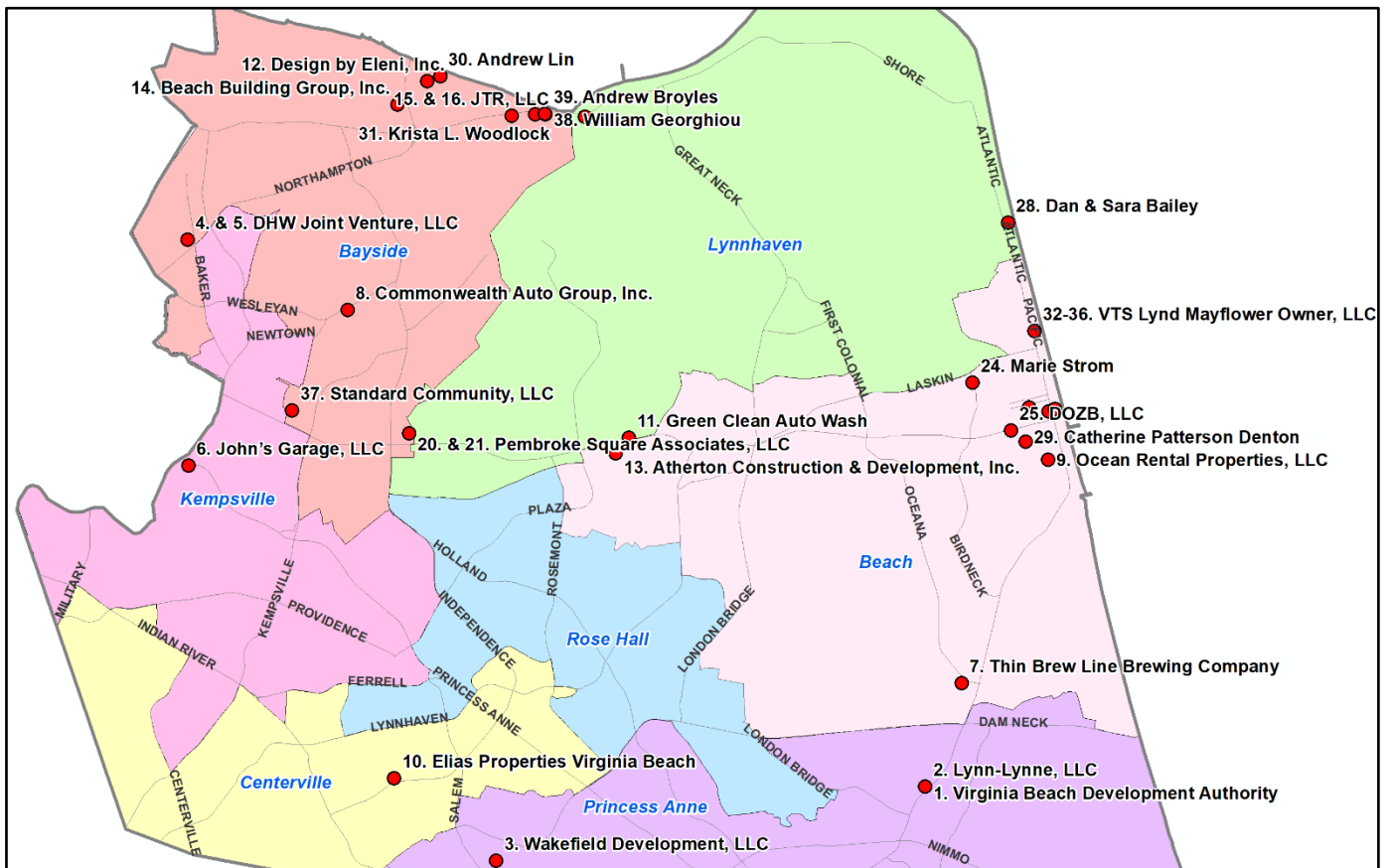
- * Deferral
- ** Withdrawal

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.

JUNE 9, 2021 PLANNING COMMISSION AGENDA



* Deferral
** Withdrawal

JUNE 9, 2021 PLANNING COMMISSION AGENDA

A. COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

12:00 P.M. – PUBLIC HEARING

1. **DEFERRAL**

Virginia Beach Development Authority (Applicant)
Virginia Beach Development Authority & Lynn-Lynne, LLC (Property Owners)

Modification of Proffers

Addresses: 1941 General Booth Boulevard and portion of Corporate Landing Business Park

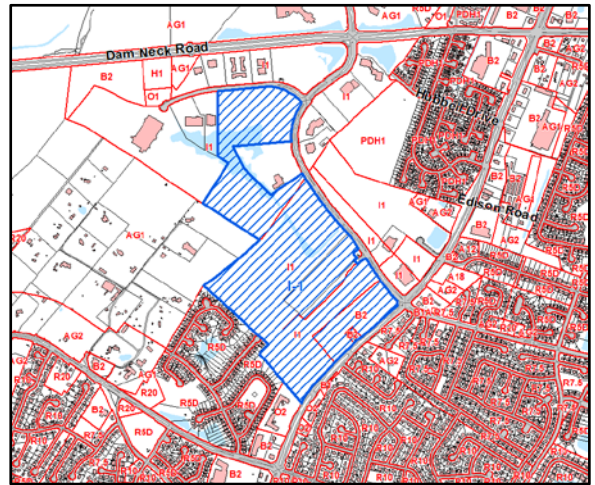
GPIN(s): 2415122650, 2415204838

Council District: Princess Anne

Accela Record(s): 2018-PCCC-00247

Staff Planner: Carolyn A. K. Smith

Request to remove 0.73-acre from the boundary of the Corporate Landing Commerce Park.



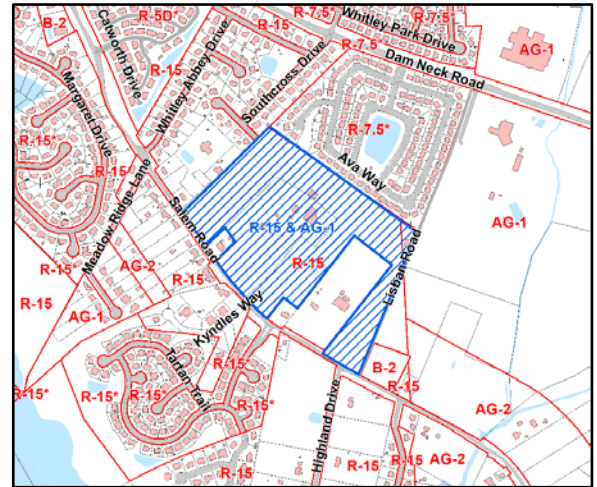
3. DEFERRAL

Wakefield Development, LLC (Applicant)
Merlin Beiler, Trustee of the Elva Y. Beiler Trust & of Elva Y. Beiler Land Trust (Property Owner)

Conditional Change of Zoning (R-15 Residential District & AG-1 Agricultural District to Conditional R-10 Residential District for construction of 86 dwelling units at a density of approximately 2.14 units per acre)

Addresses: 2328 & 2264 Salem Road
GPIN(s): 1484163140, 1484058862
Council District: Princess Anne
Accela Record(s): 2020-PCCC-00208
Staff Planner: Marchelle Coleman

Rezoning 2 lots totaling 40 acres to create up to 86 lots at least 10,000 sf in size and at a density of 2.14 units/acre.



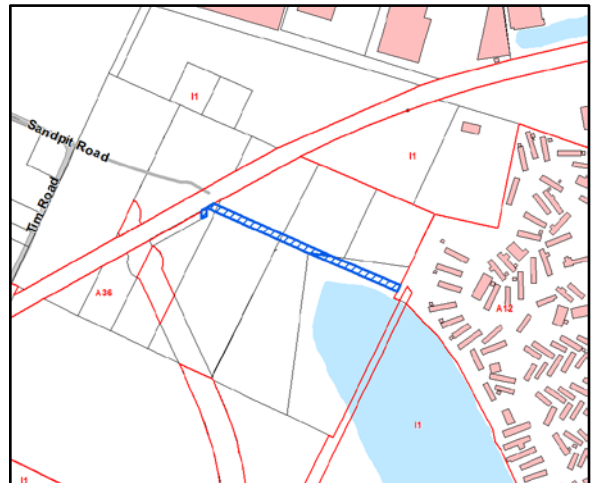
4. & 5. APPROVAL (COUNCIL on July 6)
DHW Joint Venture, LLC (Applicant & Property Owner)

Street Closure (15-foot Street Dedication)
Street Closure (20-foot Private Road)

Adjacent Address: 15-foot street dedicated adjacent to 50-foot Norfolk & Southern Corp. right-of-way
20-foot Private Road northeast of Tolliver Road cul-de-sac

Adjacent GPIN(s): 1459818217, 1459818232, 1459910373, 1459912208, 1459902964
Council District: Bayside
Accela Records: 2021-PCCC-00083, 2021-PCCC-00084
Staff Planner: Marchelle Coleman

Request for street closures for a 15' and 20' unimproved right-of-way.



- * Deferral
- ** Withdrawal

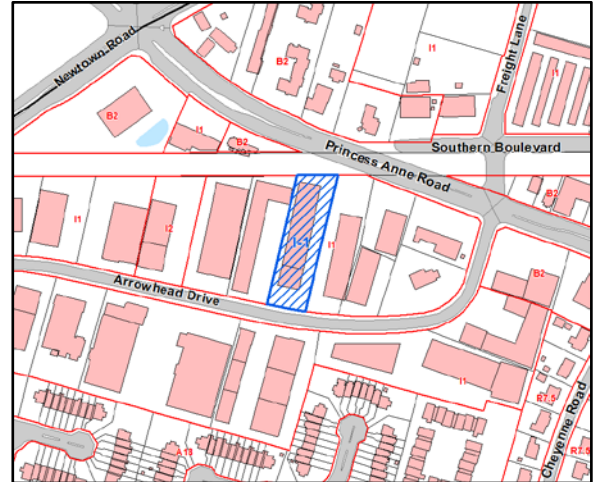
6. APPROVAL (COUNCIL on July 13)

John's Garage, LLC (Applicant)
5772 Arrowhead, LLC (Property Owner)

Conditional Use Permit (Automotive Repair Garage)

Address: 5772 Arrowhead Drive, Suites A & B
GPIN(s): 1467030703
Council District: Kempsville
Accela Record: 2021-PCCC-00089
Staff Planner: Marchelle Coleman

Request for an automotive repair garage within the existing building.



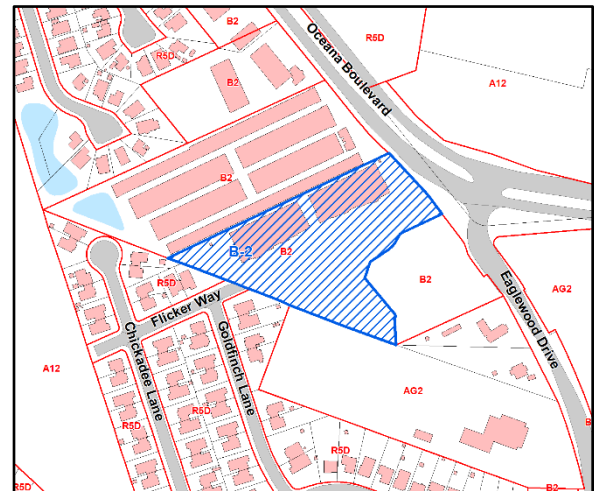
7. APPROVAL (COUNCIL on July 13)

Thin Brew Line Brewing Company (Applicant)
Oceana Crossings, LLC (Property Owner)

Modification of Conditions (Craft Brewery & Open-Air Market)

Address: 1375 Oceana Boulevard
GPIN(s): 2415489273
Council District: Beach
Accela Record: 2021-PCCC-00092
Staff Planner: Marchelle Coleman

Request to expand the existing craft brewery.



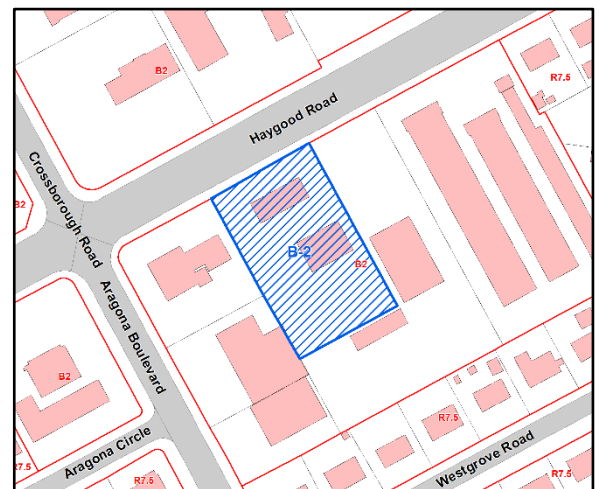
8. APPROVAL (COUNCIL on July 6)

Commonwealth Auto Group, Inc. (Applicant)
WWMD Properties LP (Property Owner)

Conditional Use Permit (Motor Vehicle Sales & Rentals)

Address: 4873 Haygood Road
GPIN(s): 1478142890
Council District: Bayside
Accela Record: 2021-PCCC-00049
Staff Planner: Marchelle Coleman

Request for auto sales operation.



- * Deferral
- ** Withdrawal

9. APPROVAL (COUNCIL on July 6)

Ocean Rental Properties, LLC (Applicant)
Ocean Rental Properties, LLC; Robert Arthur, Jr. & Margaret Burd Perkins; & Thomas J. Schwartz & Colleen Hurley-Schwartz (Property Owners)

Street Closure

Adjacent Addresses: Portion of unimproved right-of-way south of Norfolk Avenue and north of 516 & 518 Norfolk Avenue Units A & B

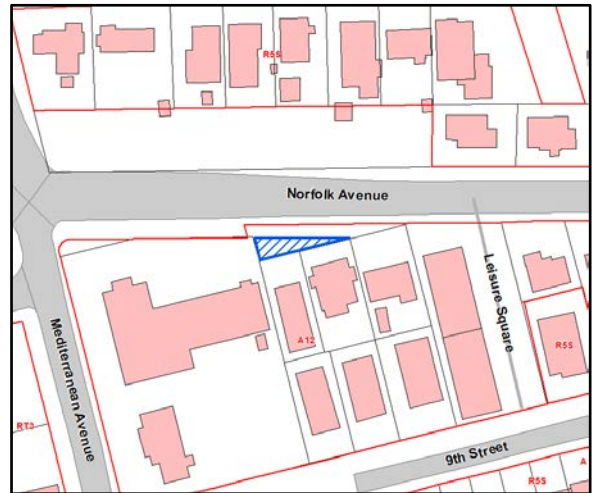
Adjacent GPIN(s): 2427048118, 2427047261

Council District: Beach

Accela Record: 2020-PCCC-00318

Staff Planner: Hoa N. Dao

Request to close a portion of Norfolk Ave in order to provide a more efficient and safe parking arrangement for the two adjacent properties.



10. DEFERRAL

Elias Properties Virginia Beach Independence, LLC
(Applicant & Property Owner)

Conditional Rezoning (B-1 Neighborhood Business to Conditional B-2 Community Business)

Address: 2749 S. Independence Boulevard

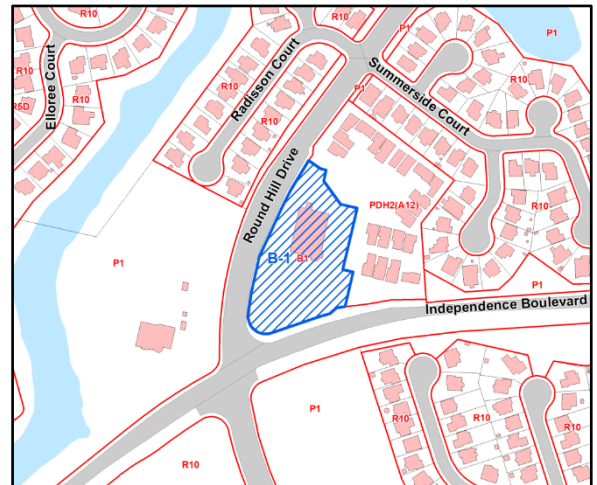
GPIN(s): 1475416438

Council District: Centerville

Accela Record: 2017-PCCC-00172

Staff Planner: Marchelle Coleman

Rezoning to allow for retail business to occupy the site.



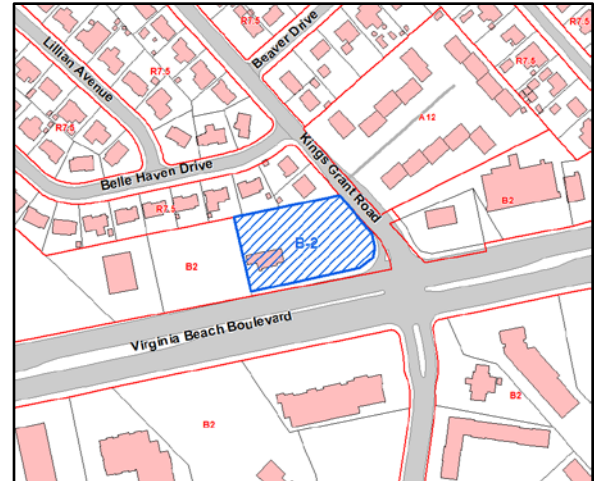
- * Deferral
- ** Withdrawal

11. APPROVAL (COUNCIL on July 13)
Green Clean Auto Wash (Applicant & Property Owner)

Conditional Use Permit (Car Wash Facility)

Address: 3112 Virginia Beach Boulevard
GPIN(s): 1497153700
Council District: Lynnhaven
Accela Record: 2021-PCCC-00082
Staff Planner: Hoa N. Dao

Request for a 4,500 sq. ft. car wash facility.



12. DEFERRAL
Design by Eleni, Inc. (Applicant & Property Owner)

Change in Nonconformity

Address: 2416 Seaview Avenue
GPIN(s): 1570619098
Council District: Bayside
Accela Record: 2021-PCCC-00085
Staff Planner: Hoa N. Dao

Request for redevelopment of a nonconforming duplex.

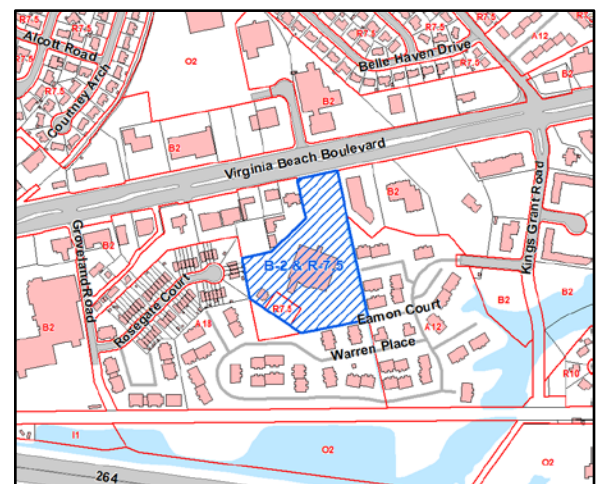


13. APPROVAL (COUNCIL on July 13)
Atherton Construction & Development, Inc. (Applicant)
The Open Door Chapel, Inc. (Property Owner)

Modification of Conditions (Religious Use)

Address: 3177 Virginia Beach Boulevard
GPIN(s): 1497041957
Council District: Beach
Accela Record: 2021-PCCC-00088
Staff Planner: Hoa N. Dao

Request to modify the boundary of the church parcel to designate parking area for a by right retail development in the adjacent lot.



- * Deferral
- ** Withdrawal

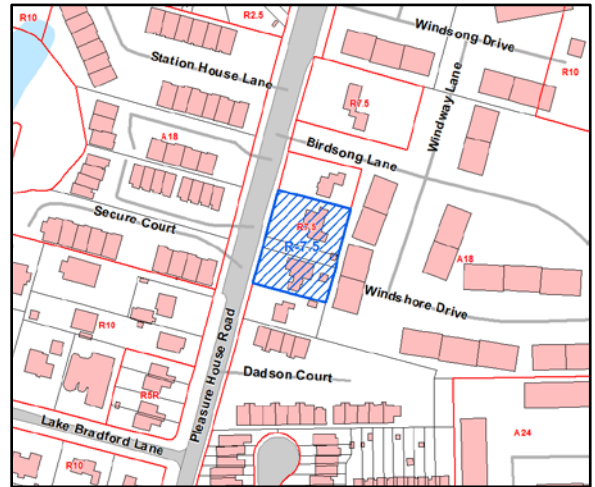
14. APPROVAL (COUNCIL on July 13)

Beach Building Group, Inc. (Applicant)
David & Deborah McColgan, Kristin Worrell
(Property Owners)

Conditional Change of Zoning (R-7.5 Residential
District to Conditional A-18 Apartment District)

Address: 2332 & 2328 Pleasure House Road
GPIN(s): 1479498450, 1479498301, 1479498364
Council District: Bayside
Accela Record: 2020-PCCC-00328
Staff Planner: Hoa N. Dao

Request to rezone 0.58 acres from R-7.5 to Conditional A-18 to construct 8 condominium units at a density of 13.79 units/acre.



15. & 16. DEFERRAL

JTR, LLC (Applicant) **JTR, LLC; Bayliner Building, LLC; & Shore Drive Area Properties** (Property Owners)

Street Closures

Adjacent Address: Portion of Ocean Tides Drive, south of Shore Drive and north of Clipper Bay Drive, and a portion of Clipper Bay Drive right-of-way south of Shore Drive and west of Ocean Tides Drive

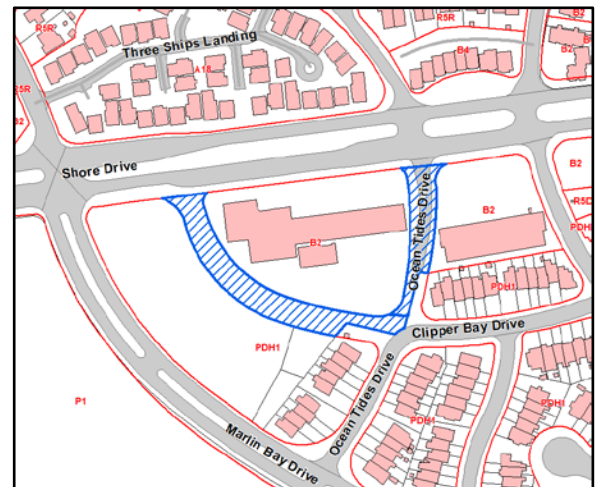
Adjacent GPIN(s): 1489289631, 1489286485, 1489382674, 1489289308

Council District: Bayside

Accela Records: 2020-PCCC-00315/00316

Staff Planner: Hoa N. Dao

Requests to close a portion of Ocean Tides Drive and Clipper Bay Drive in conjunction with a proposal to redevelop the site with an apartment complex.



- * Deferral
- ** Withdrawal

17. & 18. DEFERRAL

MP Shore, LLC (Applicant)

JTR, LLC; Bayliner Building, LLC; Shore Drive Area Properties, LLC; & City of Virginia Beach (Property Owners)

Conditional Change of Zoning (B-2 and PD-H1 Districts to Conditional B-4 Mixed Use District)

Conditional Use Permit (Multi-Family Dwellings)

Addresses: 3829 & 3785 Shore Drive, adjacent parcel between Marlin Bay Drive and 3829 Shore Drive

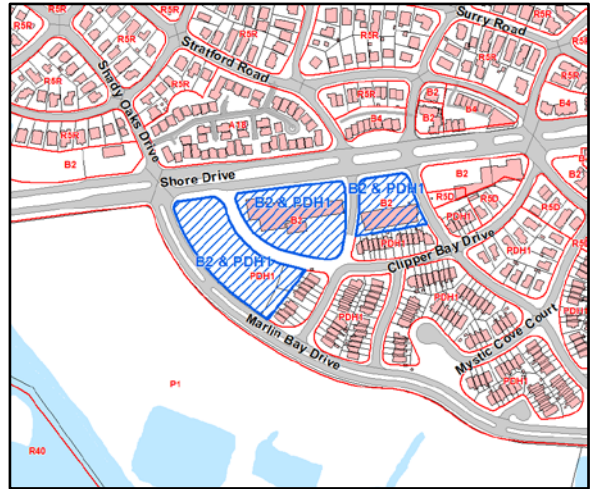
GPIN(s): 1489286485, 1489288247, 1489289308, 1489289631, 1489382674

Council District: Bayside

Accela Record(s): 2020-PCCC-00122, 2020-PCCC-00123

Staff Planner: Hoa N. Dao

Requests to rezone 6.2 acres from B-2 & PD-H1 to B-4 and to construct 197 multi-family dwellings at an approximate density of 31.77 units per acre.



19. APPROVAL (COUNCIL on July 13)

3323 Shore Drive, LLC (Applicant & Property Owner)

Conditional Use Permit (Commercial Marina)

Address: 3323 Shore Drive

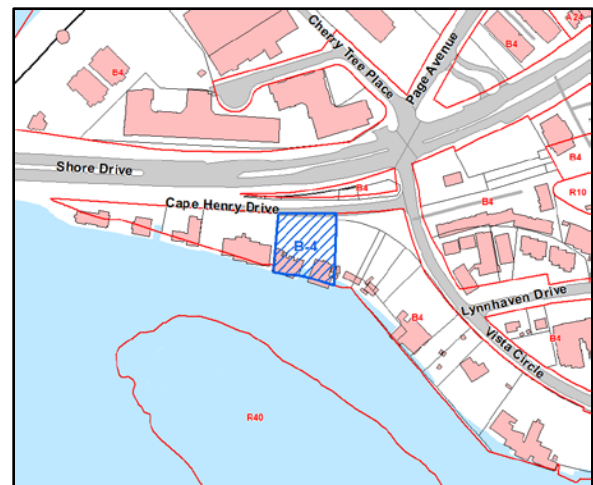
GPIN(s): 1489882662

Council District: Lynnhaven

Accela Record: 2021-PCCC-00076

Staff Planner: Whitney McNamara

Request to expand the existing dock.



- * Deferral
- ** Withdrawal

20. APPROVAL (COUNCIL on July 6)

Pembroke Square Associates, LLC (Applicant & Property Owner)

Conditional Rezoning (B-3 Central Business to Conditional CBC Central Business)

Address: southeastern corner of intersection of Jeanne Street and Constitution Drive

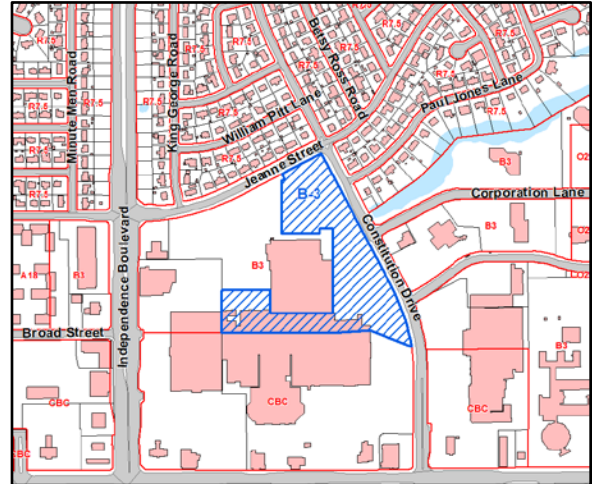
GPIN(s): Portion of 1477562034

Council District: Bayside

Accela Records: 2020-PCCC-00150

Staff Planner: Ashby Moss

Request for a Conditional Rezoning of a portion of an 26.89-acre parcel from B-3 to Conditional CBC (10.06 acres) to construct a 158-unit senior living community on 2.12 acres at a density of 74.53 units/acre.



21. APPROVAL (COUNCIL on July 6)

Pembroke Square Associates, LLC (Applicant & Property Owner)

Conditional Use Permit (Housing for Seniors)

Address: southeastern corner of intersection of Jeanne Street and Constitution Drive

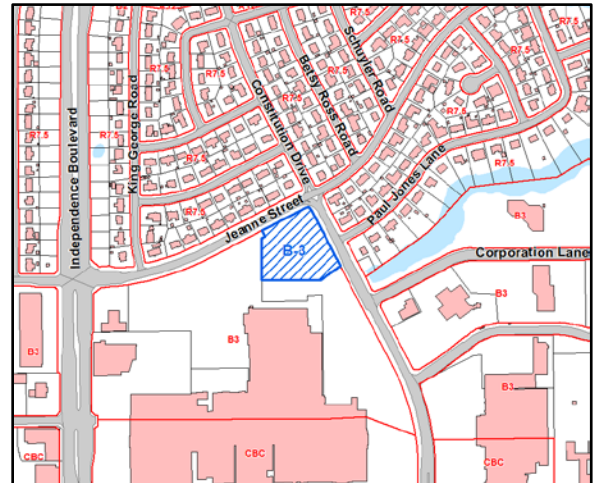
GPIN(s): Portion of 1477562034

Council District: Bayside

Accela Records: 2021-PCCC-00043

Staff Planner: Ashby Moss

Request for a Conditional Use Permit for housing for seniors to construct a 158-unit senior living community consisting of 126 independent units, 20 assisted living units, and 12 memory care rooms.



22. DEFERRAL

Atlantic Park, Inc. & City of Virginia Beach Development Authority (Applicants & Property Owners)

Street Closure

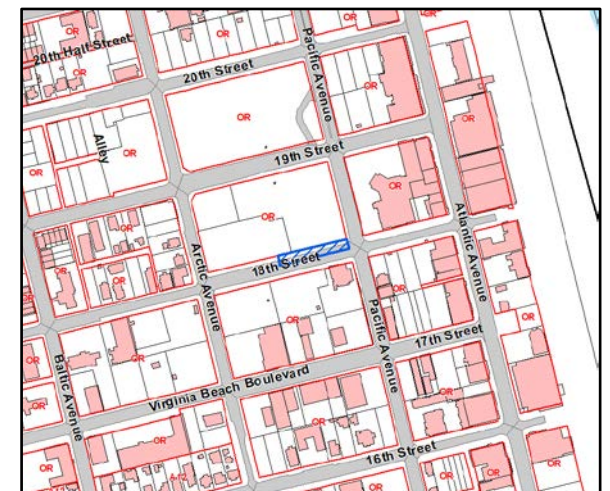
Address: Portion of 18th Street adjacent to 1880 & 1811 Pacific Avenue, 319 18th Street

GPIN(s): Adjacent to 2427172611, 2427170516

Council District: Beach

Accela Records: 2021-PCCC-00033

Staff Planner: Ashby Moss



- * Deferral
- ** Withdrawal

Request to close a portion of 18th Street between Arctic and Pacific Avenues.

23. DEFERRAL

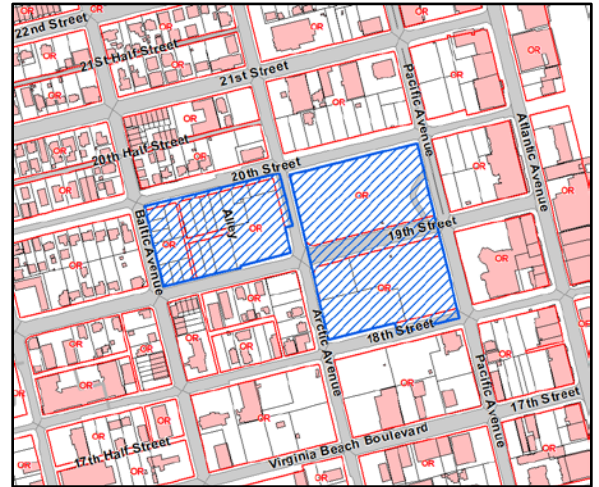
Atlantic Park, Inc. (Applicant)
City of Virginia Beach Development Authority
 (Property Owner)

Alternative Compliance

Address: 1880 & 1811 Pacific Avenue, 319 18th Street
GPIN(s): 2427079524, 2427074883, 2427073669, 2427170853, 2427073711, 2427075737, 2427073536, 2427074802, 2427073767, 2427073660, 2427074517, 2427076808, 2427076990, 2427073705, 2427074757, 2427077707, 2427072890, 2427170516, 2427172611

Council District: Beach
Accela Records: 2021-PCCC-00032
Staff Planner: Ashby Moss

Request for a Special Exception for Alternative Compliance to develop a multi-block, mixed-use residential and commercial development with structured parking, an indoor/outdoor entertainment venue (assembly use), open air surf park (outdoor recreation facility), open air markets, bars/nightclubs, craft breweries/distilleries/wineries, and recurring outdoor special events.



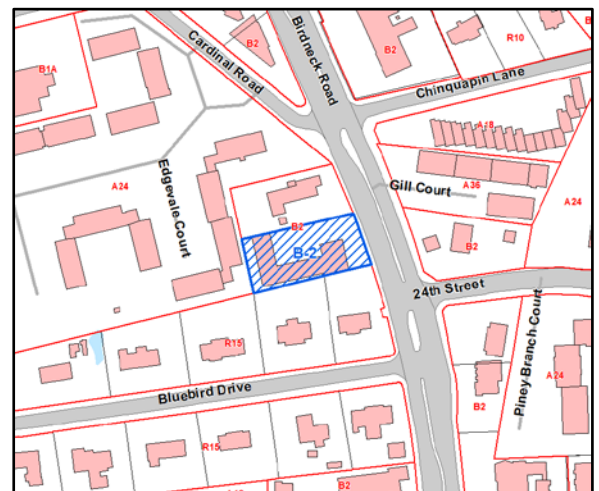
24. APPROVAL (COUNCIL on July 13)

Marie Strom (Applicant)
Aloha, LLC (Property Owner)

Conditional Use Permit (Tattoo Parlor)

Address: 615 N Birdneck Road, Suite 108
GPIN(s): 2417597653
Council District: Beach
Accela Record: 2021-PCCC-00081
Staff Planner: Hank Morrison

Request for a Conditional Use Permit to operate a tattoo parlor within a shopping center.



- * Deferral
- ** Withdrawal

25. APPROVAL (COUNCIL on July 13)

DOZB, LLC (Applicant)

DOZ, LLC (Property Owner)

Alternative Compliance

Addresses: 821, 823, & 825 Virginia Beach Boulevard

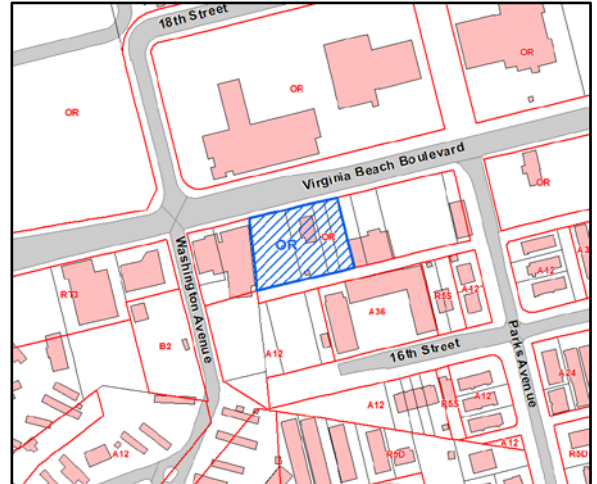
GPIN(s): 2417865230, 2417864189, 2417866204, 2417865198

Council District: Beach

Accela Record: 2021-PCCC-00086

Staff Planner: Hank Morrison

Request for an alternative compliance for a 1,620 sq ft craft brewery and tasting room.



26. APPROVAL (COUNCIL on July 6)

Traci R. & Michael L. McGlynn (Applicants & Property Owners)

Modification of Conditions

Address: 523 20th ½ Street

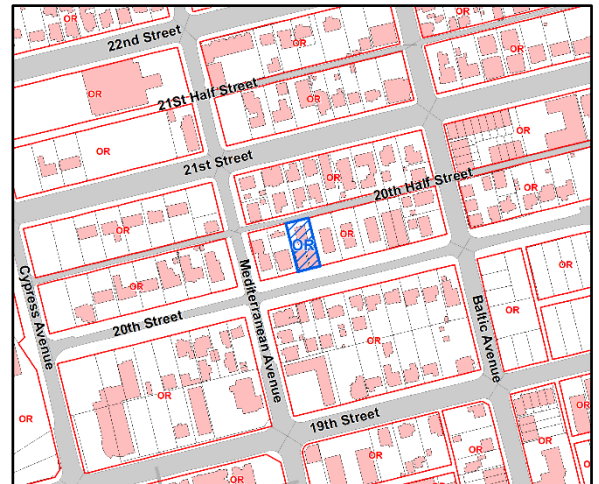
GPIN(s): 24179788130001

Council District: Beach

Accela Record: 2021-PCCC-00093

Staff Planner: Will Miller

Request to modify previously approved conditions to allow a Short Term Rental.



SHORT TERM RENTALS

27. APPROVAL (COUNCIL on July 6)

Traci R. & Michael L. McGlynn (Applicants & Property Owners)

Conditional Use Permit (Short Term Rental)

Address: 523 20th ½ Street

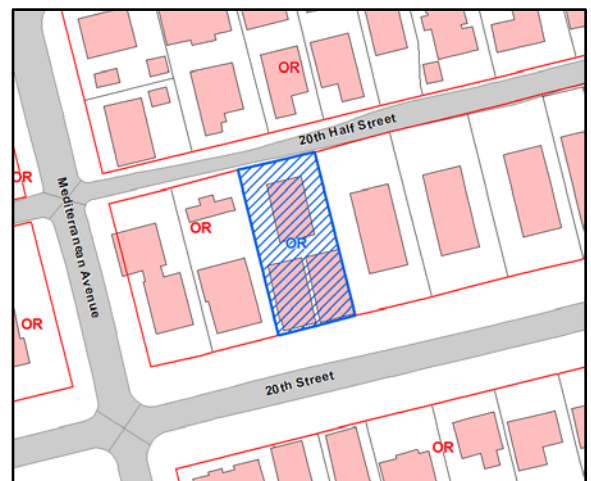
GPIN: 24179788130001

Council District: Beach

Accela Record(s): 2021-PCCC-00045

Staff Planner: Will Miller

Request for a 4-bedroom Short Term Rentals.



- * Deferral
- ** Withdrawal

28. APPROVAL (COUNCIL on July 6)

Dan & Sara Bailey (Applicants & Property Owners)

Conditional Use Permit (Short Term Rental)

Address: 103 57th Street Unit A

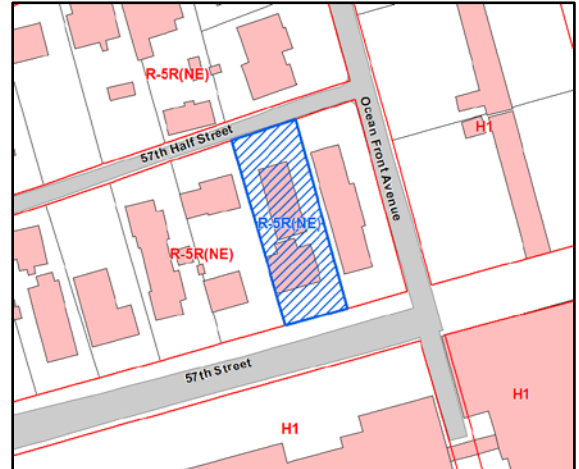
GPIN(s): 24198131000001

Council District: Lynnhaven

Accela Record(s): 2021-PCCC-00074

Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



29. APPROVAL (COUNCIL on July 6)

Catherine Patterson Denton (Applicant)

The Pink Cabana, LLC (Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 1316 Cypress Avenue

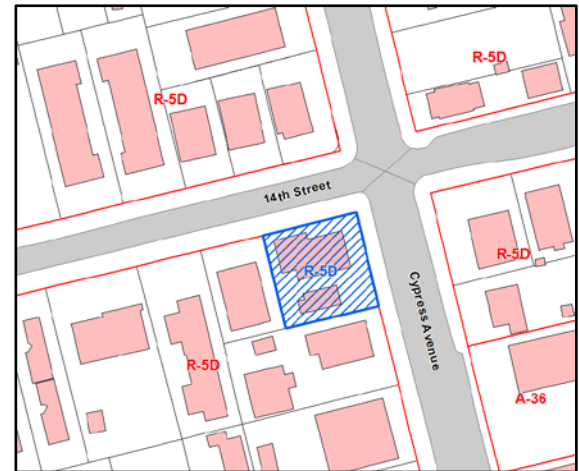
GPIN(s): 2417955483

Council District: Beach

Accela Record(s): 2021-PCCC-00077

Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



30. DENIAL

Andrew Lin (Applicant)

Lin Family Living Trust (Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 4441 Ocean View Avenue Unit B

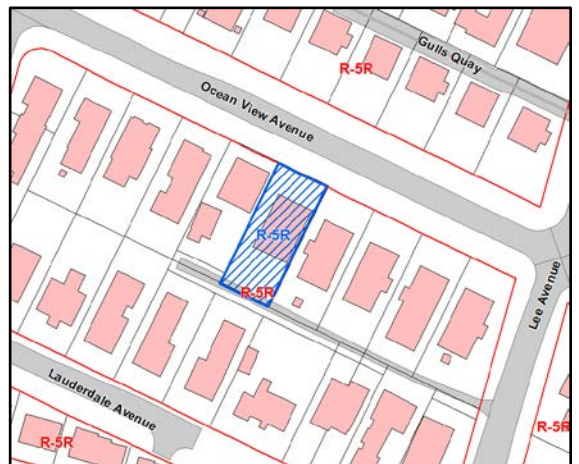
GPIN(s): 1570719403

Council District: Bayside

Accela Record(s): 2021-PCCC-00094

Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal

31. APPROVAL (COUNCIL on July 6)

Krista L. Woodlock (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 3709 Rockbridge Road

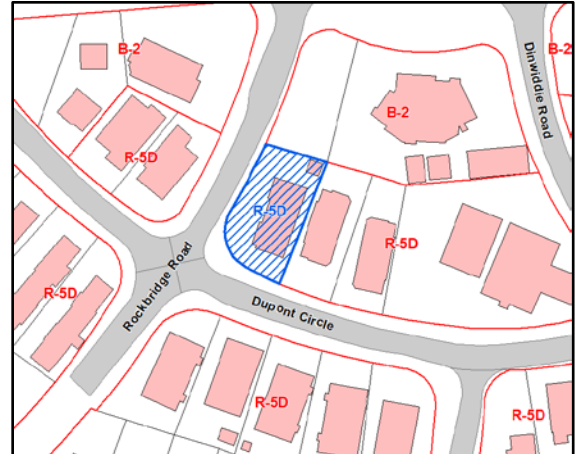
GPIN(s): 14894867443709

Council District: Bayside

Accela Record(s): 2021-PCCC-00096

Staff Planner: Will Miller

Request for a 3-bedroom Short Term Rental.



32, 33, 34, 35, & 36. DEFERRAL

VTs Lynd Mayflower Owner, LLC (Applicant & Property Owner)

Conditional Use Permits (Short Term Rentals)

Address: 205 34th Street, Units 1601, 1602, 1603, 1604, & 1605

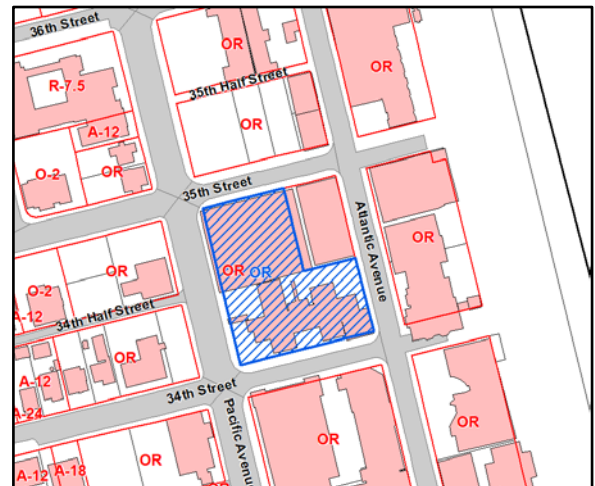
GPIN(s): 2428032311

Council District: Beach

Accela Record(s): 2020-PCCC-00253/254/255/256/257

Staff Planner: Will Miller

A Short Term Rental request for 2 2-Bedrooms, 2 3-Bedrooms, and 1 4-Bedroom.



37. APPROVAL (COUNCIL on July 6)

Standard Community, LLC (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 427 Peregrine Street

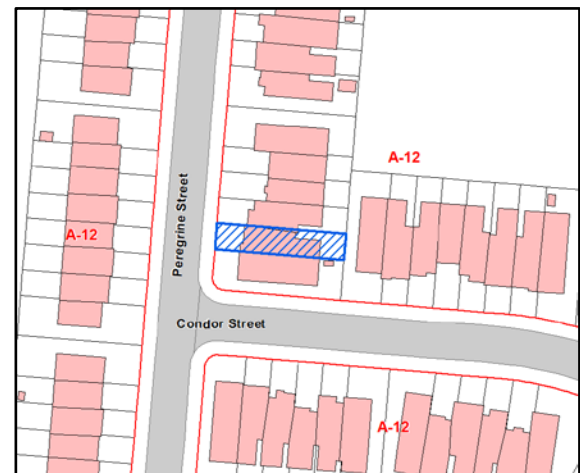
GPIN(s): 1467773665

Council District: Bayside

Accela Record(s): 2021-PCCC-00075

Staff Planner: Summer Peebles

Request for a 3-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal

38. APPROVAL (COUNCIL on July 6)

William Georghiou (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 3608 E. Stratford Road

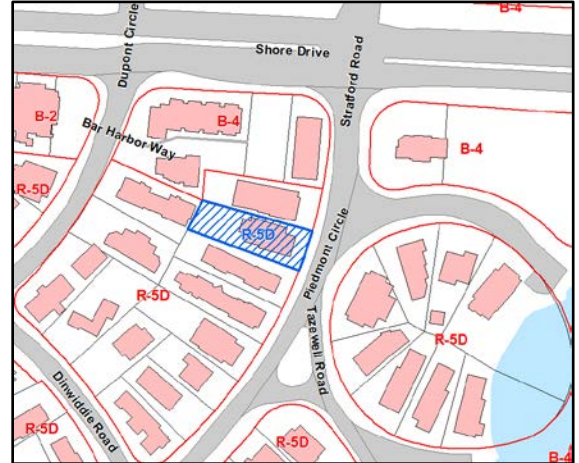
GPIN(s): 1489584711

Council District: Bayside

Accela Record(s): 2021-PCCC-00095

Staff Planner: Summer Peebles

Request for a 5-bedroom Short Term Rental.



39. APPROVAL (COUNCIL on July 6)

Andrew Broyles (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 3604 E. Stratford Road

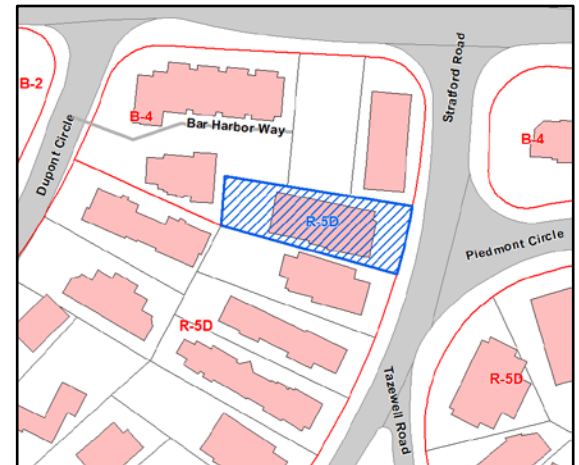
GPIN(s): 1489583787

Council District: Bayside

Accela Record(s): 2021-PCCC-00097

Staff Planner: Summer Peebles

Request for a 4-bedroom Short Term Rental.



- * Deferral
- ** Withdrawal