

Planning Commission Agenda

September 14, 2022



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

A Public Hearing of the Virginia Beach Planning Commission will be held on **Wednesday, September 14, 2022 at 12:00 p.m. in the Council Chamber at City Hall, 2nd Floor at 2401 Courthouse Drive Building 1, Virginia Beach, VA 23456**. 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 Council Chamber or virtually via WebEx by completing the two-step process below. 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=e98eeb5b3e4a7b63fa20390740bf71bd9>
2. Register with the Planning Department by calling 757-385-4621 or via email at mbHarris@vbgov.com prior to 5:00 p.m. on September 13, 2022.

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.

Please check our website at www.vbgov.com/pc for the most updated meeting information.

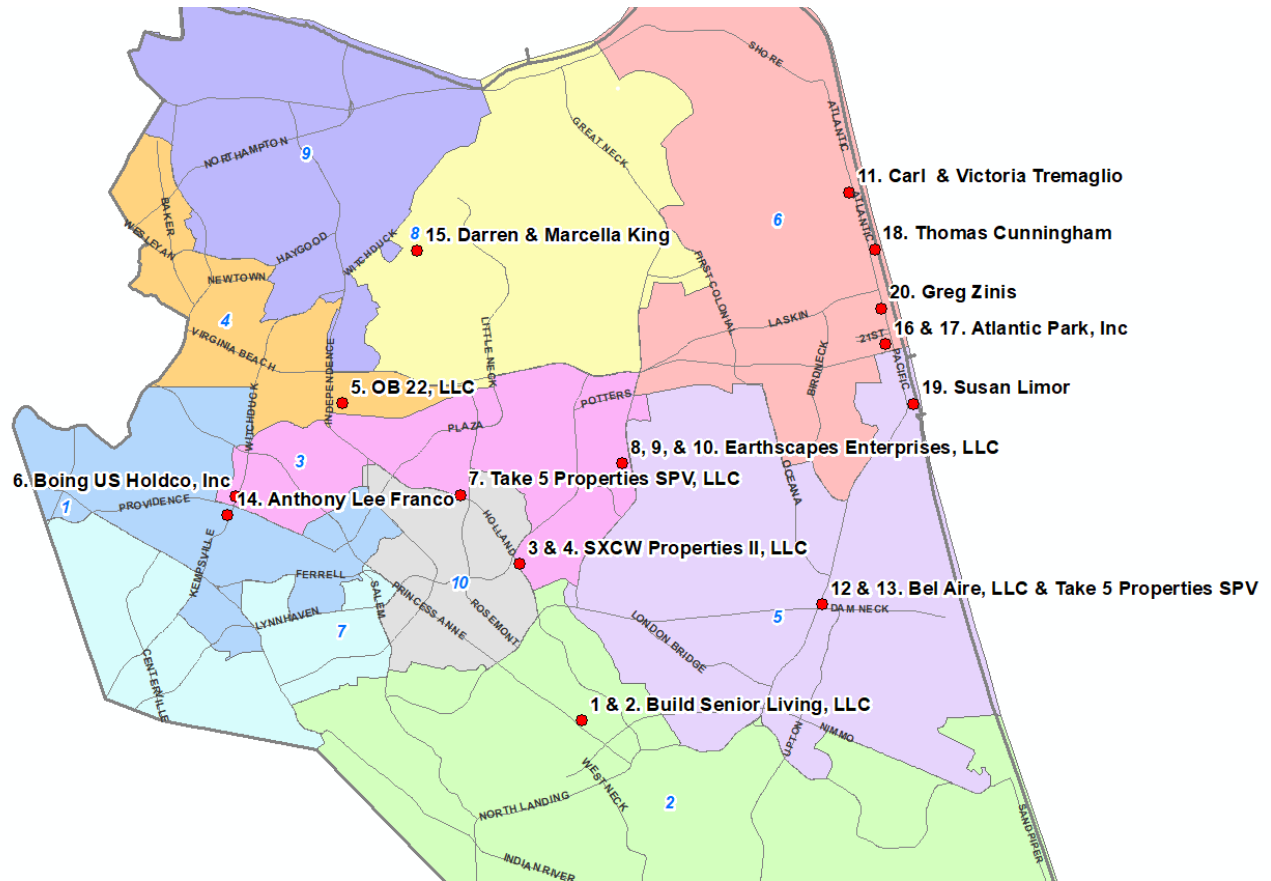
Planning Commission Hearing Procedures

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.

SEPTEMBER 14, 2022 PLANNING COMMISSION AGENDA



SEPTEMBER 14, 2022 PLANNING COMMISSION AGENDA

A. COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

B. BRIEFINGS

Training on Article 18 – Special Regulations in Air Installation Compatible Use Zones – Victoria R. Eisenberg, Assistant City Attorney

12:00 P.M. – PUBLIC HEARING

1. & 2.

Build Senior Living, LLC, a Michigan Limited Liability Company (Applicant)

Keith L. Setzer, Sheryl Setzer Melvin, Belinda Setzer Hester, JSW Holdings, LLC (Property Owners)

Conditional Rezoning (AG-1 & AG-2 Agricultural Districts to Conditional O-1 Office District)

Conditional Use Permit (Housing for Seniors & Disabled Persons)

Address: Parcels on the north side of the intersection of Princess Anne Road & Tournament Drive, west of 2708 Princess Anne Road

GPIN(s): 1494564060, 1494562223

Council District: District 2, formerly Princess Anne

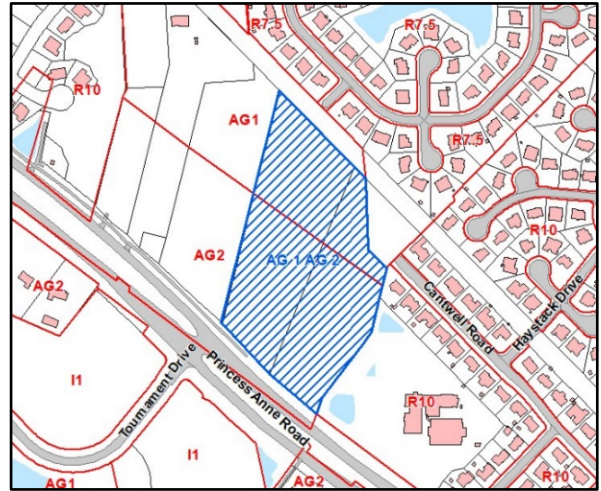
Accela Record(s): 2022-PCCC-00071, 2022-PCCC-00072

SGA: No

Overlay: No

Staff Planner: Hoa N. Dao

Requests to rezone 10.87 acres from AG-1 & AG-2 to Conditional O-1 along with a Conditional Use Permit for development of an 82,800 square foot assisted living facility.



3. & 4.

SXCW Properties II, LLC (Applicant & Property Owner)

Conditional Use Permits (Car Wash Facility & Automobile Service Stations)

Address: 3264 Holland Road

GPIN(s): 1495093490

Council District: District 3, formerly Rose Hall

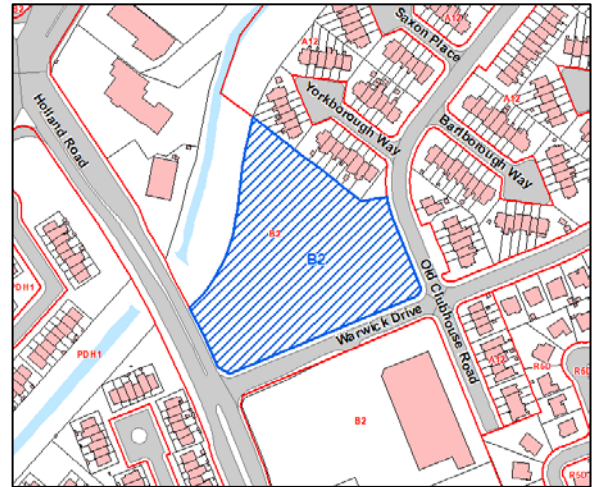
Accela Record(s): 2022-PCCC-00185, 2022-PCCC-00186

SGA: No

Overlay: No

Staff Planner: Hoa N. Dao

Requests to operate a 4,115 square foot automated car wash facility and fuel sales.



5.

OB 22, LLC (Applicant & Property Owner)

Conditional Rezoning (I-1 Light Industrial District & O-2 Office District to Conditional A-36 Apartment District)

Addresses: Parcel between 4548 & 4600 Bonney Road

GPIN(s): 1477524516

Council District: District 4, formerly Lynnhaven

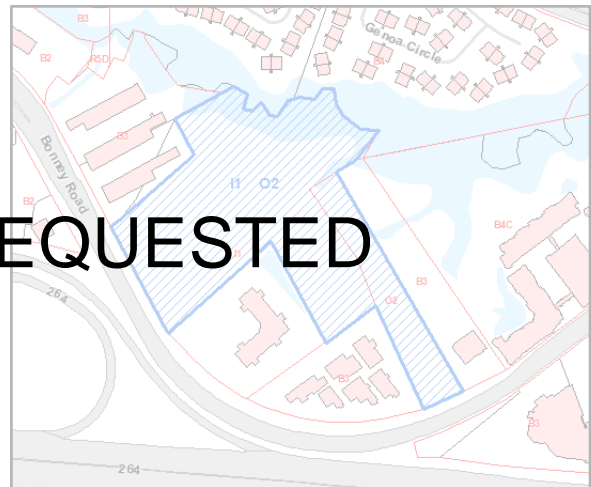
Accela Record: 2022-PCCC-00065

SGA: Yes - Pembroke

Overlay: No

Staff Planner: Hoa N. Dao

Request to conditionally rezone 11.77 acres from I-1 & O-2 to Conditional A-36 for development of 242 multi-family dwelling units at a density of 24.93 units/acre.



6.

Boing US Holdco, Inc (Applicant)

NMP-C4 Fairfield S/C, LLC (Property Owner)

Conditional Use Permit (Car Wash Facility)

Address: 837 Kempsville Road

GPIN(s): 1466644850

Council District: District 3, formerly Kempsville

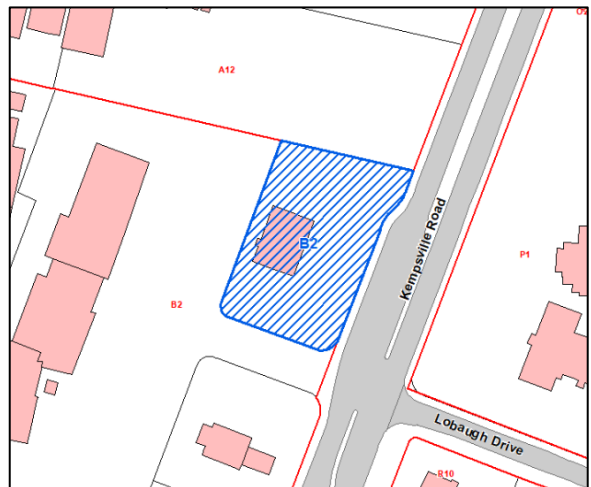
Accela Record(s): 2022-PCCC-00174

SGA: No

Overlay: No

Staff Planner: Marchelle Coleman

Request to operate a 3,887 square foot automated car wash facility.



DEFERRAL REQUESTED

7.

Take 5 Properties SPV, LLC, a Delaware Limited Liability Company (Applicant)
FTB, LLC (Property Owner)

Modification of Conditions (Automobile Repair Garage)

Address: 3680 Holland Road

GPIN(s): 1486543888

Council District: District 3, formerly Rose Hall

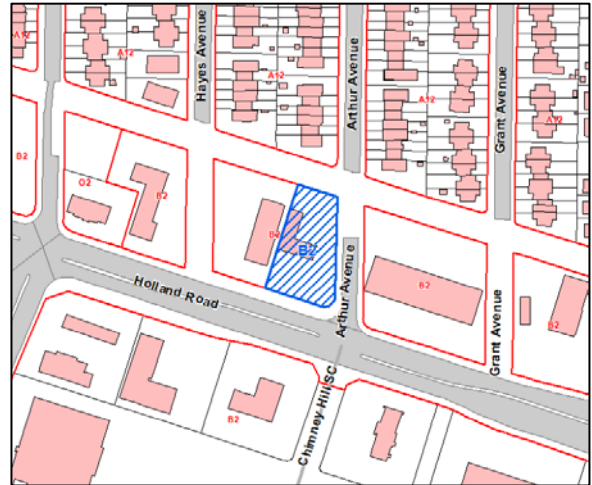
Accela Record(s): 2022-PCCC-00177

SGA: No

Overlay: No

Staff Planner: Marchelle Coleman

Request to operate a 2,788 square foot oil change facility.



8, 9, & 10.

Earthscapes Enterprises, LLC (Applicant)
Valianos Properties, LLC & JEM, LLC (Property Owners)

Conditional Rezoning (I-1 Light Industrial District & B-2 Community Business District to Conditional B-2 Community Business District)

Conditional Use Permits (Mini-Warehouse & Bulk Storage Yard)

Address: 619 & 623 London Bridge Road

GPIN(s): Portion of 1496878501, 1496974509

Council District: District 3, formerly Beach

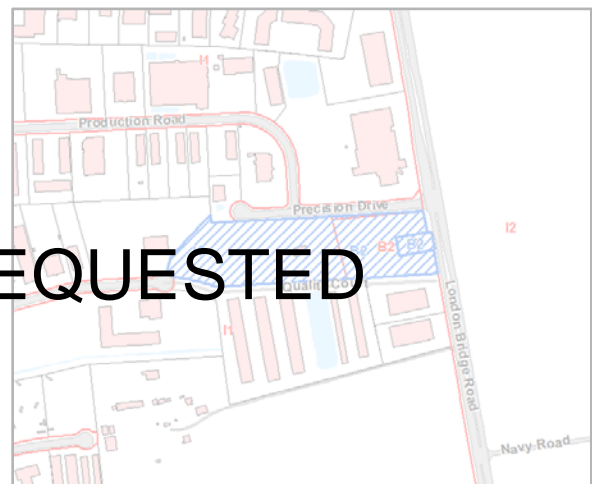
Accela Record(s): 2022-PCCC-00146, 2022-PCCC-00147, 2022-PCCC-00148

SGA: No

Overlay: No

Staff Planner: Marchelle Coleman

Requests to rezone 1.46 acres from I-1 & B-2 to Conditional B-2 for development of a self-storage facility and bulk storage yard.



DEFERRAL REQUESTED

11.

Carl Joseph Tremaglio & Victoria Mather Tremaglio (Applicants)

Street Closure

Adjacent Address: 209 55th Street

Adjacent GPIN(s): 2419708246, 24197084102081, 24197084102082, 241970841

Council District: District 6, formerly Lynnhaven

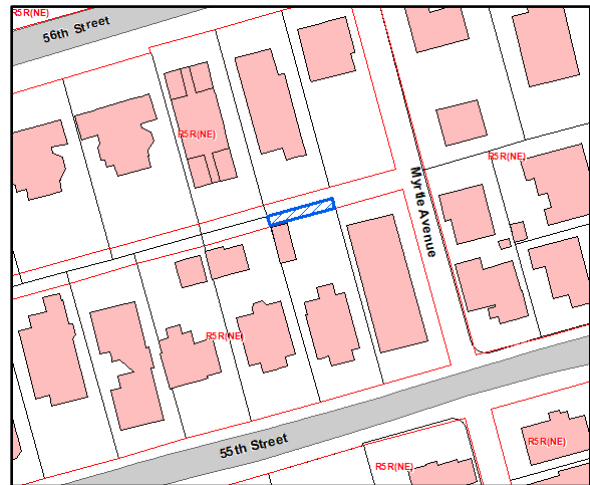
Accela Record(s): 2022-PCCC-00171

SGA: No

Overlay: Yes – North End

Staff Planner: Elizabeth Nowak

Request to close a portion of the unimproved alley that was previously granted by Council but expired due to not fulfilling the conditions of the closure.



12. & 13.

Bel Aire, LLC & Take 5 Properties SPV, LLC, a Delaware Limited Liability Company

(Applicants)

Bel Aire, LLC (Property Owner)

Conditional Use Permits (Car Wash Facility & Automobile Repair Garage)

Address: 1552 General Booth Boulevard

GPIN(s): 2415555765

Council District: District 5, formerly Princess Anne

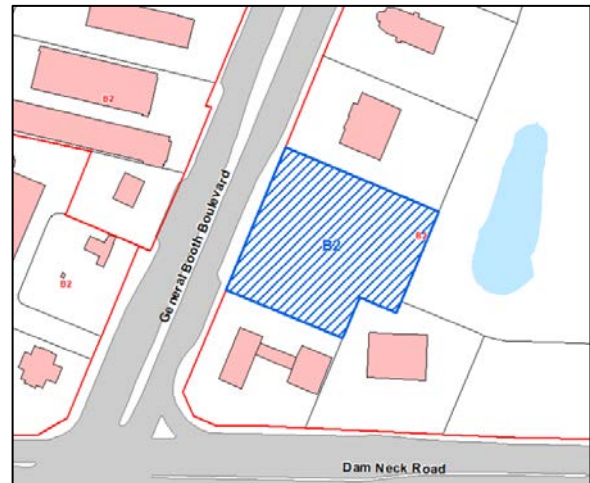
Accela Record(s): 2022-PCCC-00173, 2022-PCCC-00175

SGA: No

Overlay: No

Staff Planner: Elizabeth Nowak

Requests to operate an automated car wash facility & a 1,430 square foot oil change facility.



14.

Anthony Lee Franco (Applicant)

Providence Square Associates, LLC (Property Owner)

Conditional Use Permit (Tattoo Parlor)

Address: 1001 Kempsville Road, Units 1049, 1051, 1053

GPIN(s): 1466538222

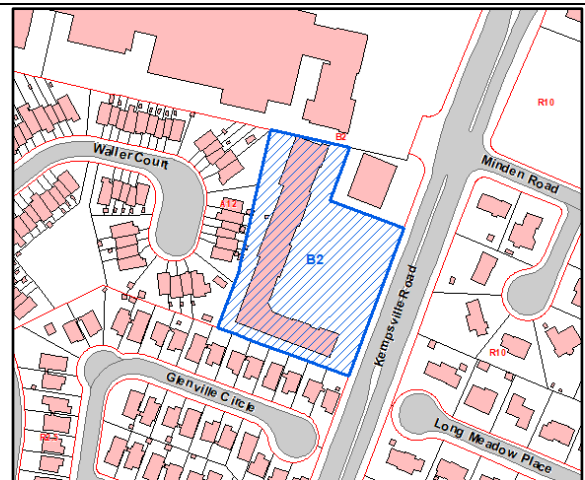
Council District: District 1, formerly Kempsville

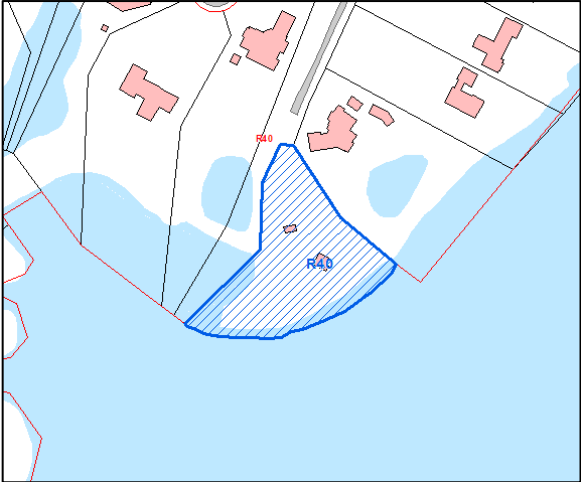
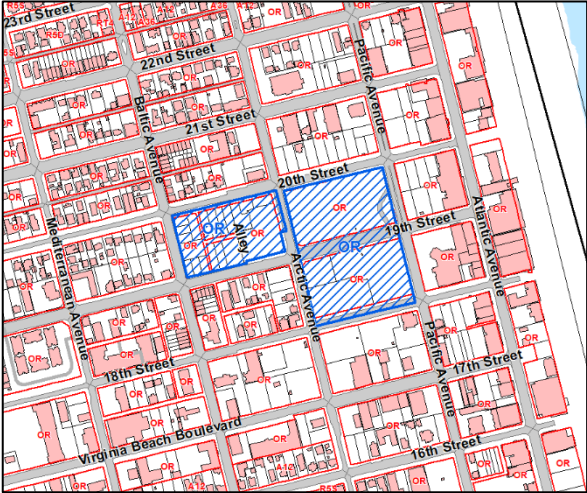
Accela Record(s): 2022-PCCC-00172

SGA: No

Overlay: No

Staff Planner: Michaela McKinney



<p><i>Request to operate a tattoo parlor within the Providence Square Shopping Center.</i></p> <p>15. <u>Darren & Marcella King Joint Revocable Living Trust</u> (Applicant & Property Owner)</p> <p>Subdivision Variance (Section 4.4(b) & (d) of the Subdivision Regulations)</p> <p>Address: 3931 Richardson Road GPIN(s): 1488156345 Council District: District 8, formerly Bayside Accela Record(s): 2022-PCCC-00176 SGA: No Overlay: No Staff Planner: Michaela McKinney</p> <p><i>Request to correct an existing parcel inappropriately created by deed to a legally recorded property by plat to deviate from both lot width & street line frontage due to no direct access to a public street</i></p>	
<p>16. <u>Atlantic Park, Inc & Virginia Beach Development Authority</u> (Applicants) Virginia Beach Development Authority (Property Owner)</p> <p>Major Entertainment Venue Sign</p> <p>Address: Block bordered by Arctic & Baltic Avenues and 19th & 20th Streets & double block bordered by Pacific & Arctic Avenues & 18th & 20th Streets</p> <p>GPIN(s): 2427079524, 2427074883, 2427073669, 2427170853, 2427073711, 2427075737, 2427073536, 2427074802, 2427073767, 2427073660, 2427074517, 2427076808, 2427076990, 2427073705, 2427074757, 2427077707, 2427072890, 2427170516, 2427172611</p> <p>Council District: District 6, formerly Beach Accela Record(s): 2022-PCCC-00180 SGA: Yes – Resort Area Overlay: OR STR Staff Planner: Brandon Hackney</p> <p><i>Requests to add two signs for major entertainment venue.</i></p>	

17.

Atlantic Park, Inc & Virginia Beach Development Authority (Applicants)
Virginia Beach Development Authority
(Property Owner)

Modification of Conditions

Address: Block bordered by Arctic & Baltic Avenues and 19th & 20th Streets & double block bordered by Pacific & Arctic Avenues & 18th & 20th Streets

GPIN(s): 2427079524, 2427074883, 2427073669, 2427170853, 2427073711, 2427075737, 2427073536, 2427074802, 2427073767, 2427073660, 2427074517, 2427076808, 2427076990, 2427073705, 2427074757, 2427077707, 2427072890, 2427170516, 2427172611

Council District: District 6, formerly Beach

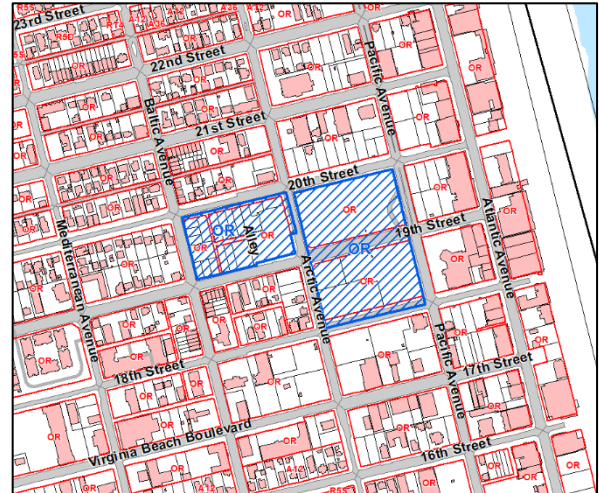
Accela Record(s): 2022-PCCC-00179

SGA: Yes – Resort Area

Overlay: OR STR

Staff Planner: Brandon Hackney

Request to modify previous approval to add light poles for the surf park.



SHORT TERM RENTALS

18.

Thomas Cunningham (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 4005 Atlantic Avenue, Unit 207

GPIN(s): 24280514483990

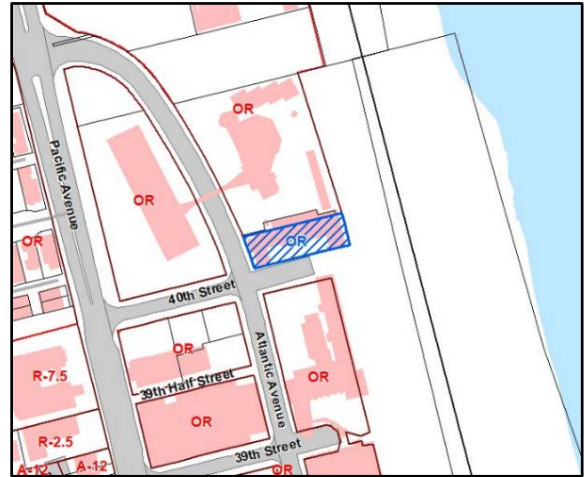
Council District: District 6, formerly Beach

Accela Record(s): 2022-PCCC-00150

SGA: Yes – Resort Area

Overlay: OR STR

Staff Planner: Brandon Hackney



Request for a 1-bedroom Short Term Rental.

19.

Susan Limor (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 303 Atlantic Avenue, Unit 1005

GPIN(s): 24273224032120

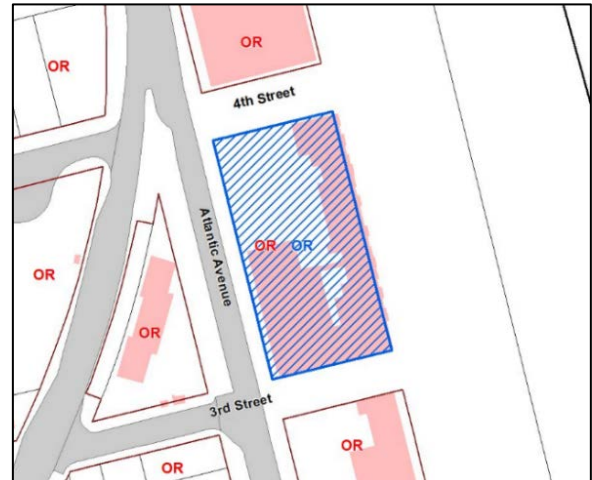
Council District: District 5, formerly Beach

Accela Record(s): 2022-PCCC-00167

SGA: Yes – Resort Area

Overlay: OR STR

Staff Planner: Levi Luckenbach



Request for a 2-bedroom Short Term Rental.

20.

Greg Zinis (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 304 26th ½ Street, Unit B

GPIN(s): 24280055430002

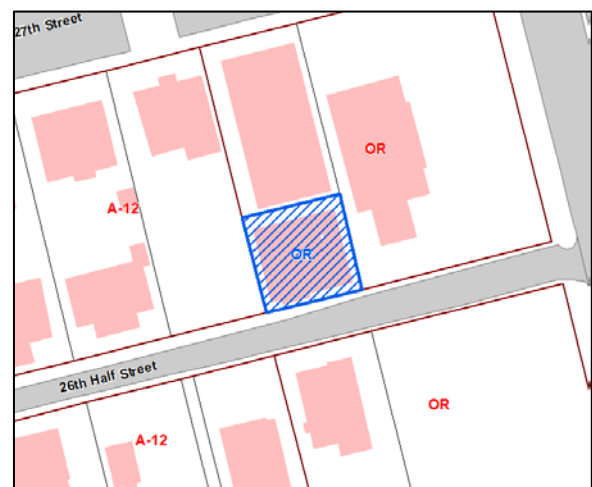
Council District: District 6, formerly Beach

Accela Record(s): 2022-PCCC-00182

SGA: Yes – Resort Area

Overlay: OR STR

Staff Planner: Levi Luckenbach



Request for a 4-bedroom Short Term Rental.