



Planning Commission Agenda

January 11, 2023

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

A Public Hearing of the Virginia Beach Planning Commission will be held on **Wednesday, January 11, 2023 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=ec3043e6ca819ddfc102f3a8c1fa16382>
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 January 10, 2023.

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.

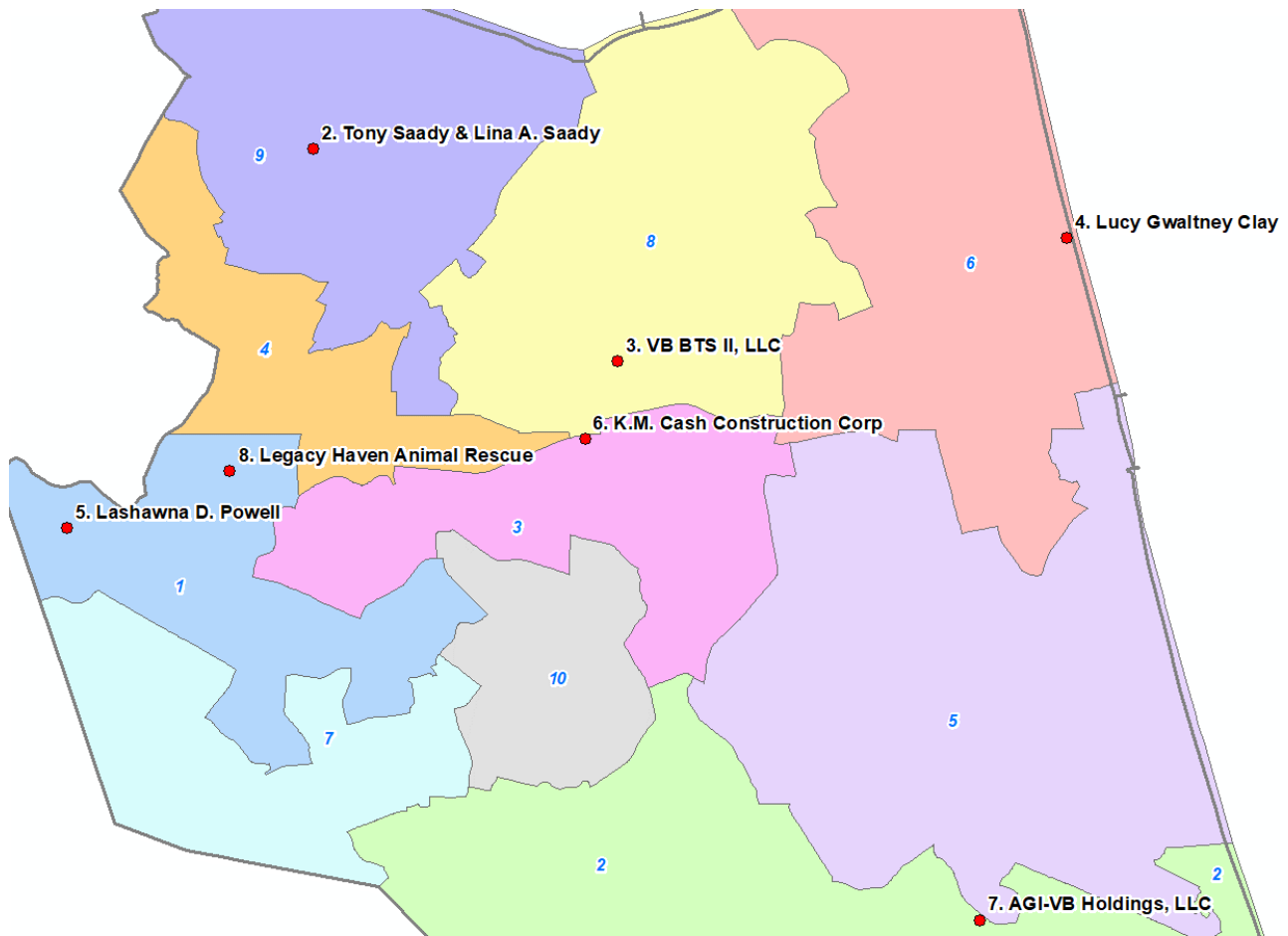
Planning Commission Hearing Procedures

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.

JANUARY 11, 2022 PLANNING COMMISSION AGENDA



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PLANNING COMMISSION AGENDA

**A.
COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION**

**B.
BRIEFINGS**

1. Amendment to the B4K Zoning District to Amend the Permissible Residential Density – Robert J. Tajan, Planning Director

12:00 P.M. – PUBLIC HEARING

**1.
City of Virginia Beach**

Amendment of the Zoning Ordinance to allow for Ice Vending Machines as accessory uses in specific Commercial Zoning Districts. (Sponsored by Vice Mayor Wilson)

**2.
Tony Saady & Lina A. Saady (Applicants)
Tony J & Lina Azar-Saady, Trustees of Tony & Lina Saady Revocable Living Trust (Property Owner)**

Subdivision Variance (Section 4.1(m) of the Subdivision Regulations)

Addresses: 5020 Lord Felton Lane & Parcel directly west of 5020 Lord Felton Lane

GPIN(s): 1469838141, 1469826953

City Council: District 9, formerly Bayside

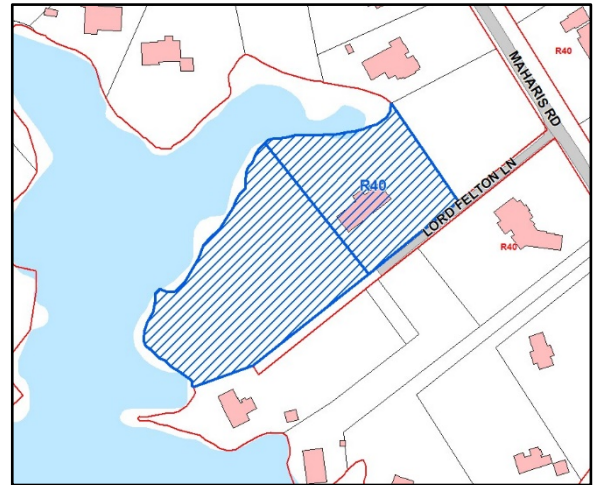
Accela Record(s): 2022-PCCC-00260

SGA: No

Overlay: No

Staff Planner: Hoa N. Dao

Request to subdivide 2 existing lots to create three lots that are service by a 16 foot wide right-of-way where the ordinance required a 24 foot wide roadway.



**3.
VB BTS II, LLC (Applicant)
Virginia Electric and Power Company d/b/a Dominion Energy Virginia (Property Owner)
Conditional Use Permit (Communication Tower)**

Address: 568 North Lynnhaven Road

GPIN(s): 1487983864

City Council: District 8, formerly Lynnhaven

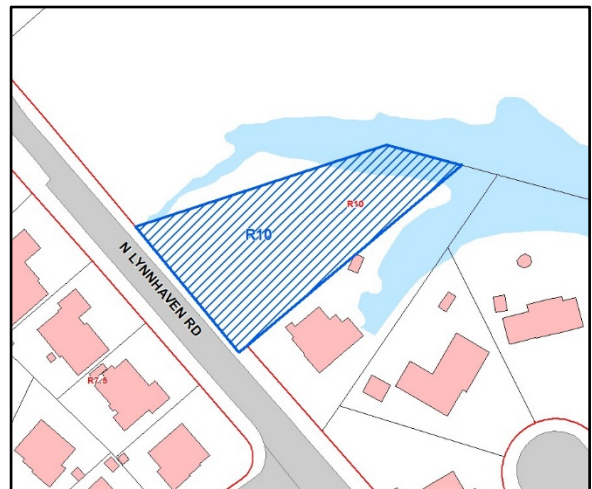
Accela Record(s): 2022-PCCC-00272

SGA: No

Overlay: No

Staff Planner: Marchelle Coleman

Request to construct a 130-foot tall monopine communication tower.



4.

Lucy Gwaltney Clay (Applicant & Property Owner)
Lucy Gwaltney Clay Living Trust (Applicant & Property Owner)

Change in Nonconformity (Expansion of a Nonconforming Use)

Addresses: 102A & 102B 45th Street

GPIN(s): 2418974025

City Council: District 6, formerly Beach

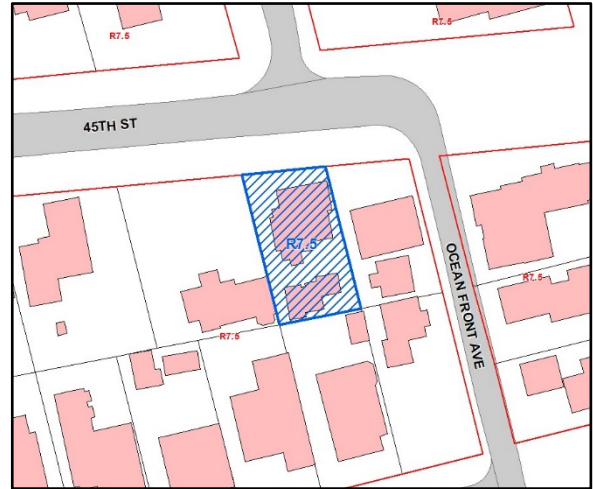
Accela Record(s): 2022-PCCC-00262

SGA: No

Overlay: No

Staff Planner: Elizabeth Nowak

Request to expand the existing secondary dwelling



5.

LaShawna D. Powell (Applicant)
SST Holdings, LLC (Property Owner)

Conditional Use Permit (Assembly Use)

Address: 701 South Military Highway, Suite F

GPIN(s): 1456273699

City Council: District 1, formerly Kempsville

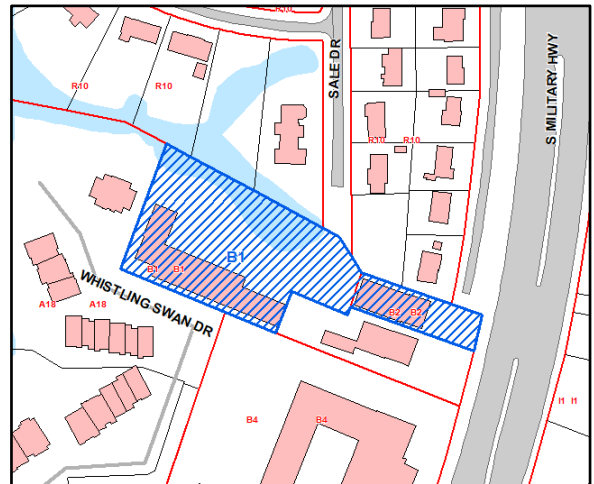
Accela Record(s): 2022-PCCC-00263

SGA: No

Overlay: No

Staff Planner: Elizabeth Nowak

Request to operate an Assembly Use.



6.

K.M. Cash Construction Corp (Applicant & Property Owner)

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

Addresses: 3536 Boyd Road & Parcel between 3536 & 3528 Boyd Road

GPIN(s): 1487731611, 1487731685

City Council: District 3, formerly Beach

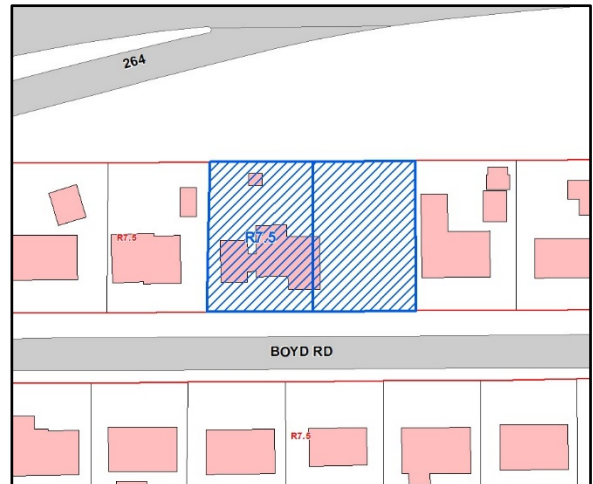
Accela Record(s): 2022-PCCC-00269

SGA: No

Overlay: No

Staff Planner: Michaela D. McKinney

Request to reconfigure two lots to accommodate the building setback of the existing dwelling on one lot, resulting in the second lot being deficient in lot width.



7.

AGI-VB Holding, LLC (Applicant & Property Owner)

Modification of Proffers

Address: 1925 Fisher Arch

GPIN(s): 2414316336

City Council: District 2, formerly Princess Anne

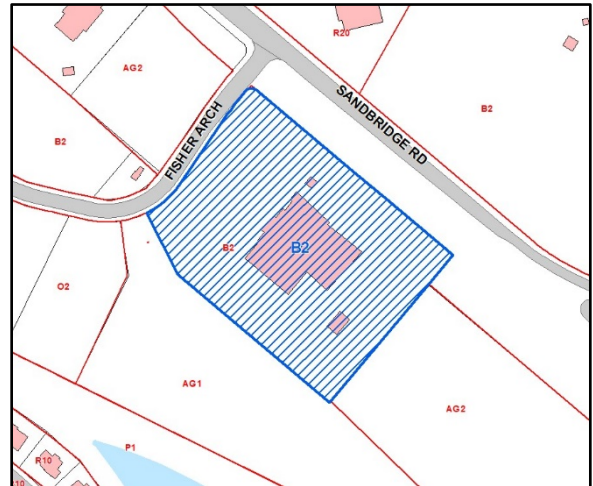
Accela Record(s): 2022-PCCC-00266

SGA: No

Overlay: No

Staff Planner: Michaela D. McKinney

Request to amend approved proffers to include additional outdoor seating area and storage buildings.



8.

Legacy Haven Animal Rescue (Applicant)

Elaine Swarts (Property Owner)

Conditional Use Permit (Residential Kennel)

Address: 5433 Hunt Club

GPIN(s): 1467312466

City Council: District 1, formerly Kempsville

Accela Record(s): 2022-PCCC-00267

SGA: No

Overlay: No

Staff Planner: Michaela D. McKinney

Request for a residential kennel to allow up to 10 adult dogs.

