



Planning Commission Agenda

October 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 www.virginiabeach.gov - Media Center webpage. 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, October 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.virginiabeach.gov, 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/j.php?MTID=md7242808efc2684de22e2191211b1aac>
2. Register with the Planning Department by calling 757-385-4621 or via email at mbharriseichholz@vbgov.com prior to 5:00 p.m. on October 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.virginiabeach.gov/planningcommission. 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.virginiabeach.gov and Facebook Live.

Please check our website at www.virginiabeach.gov/planningcommission for the most updated meeting information.

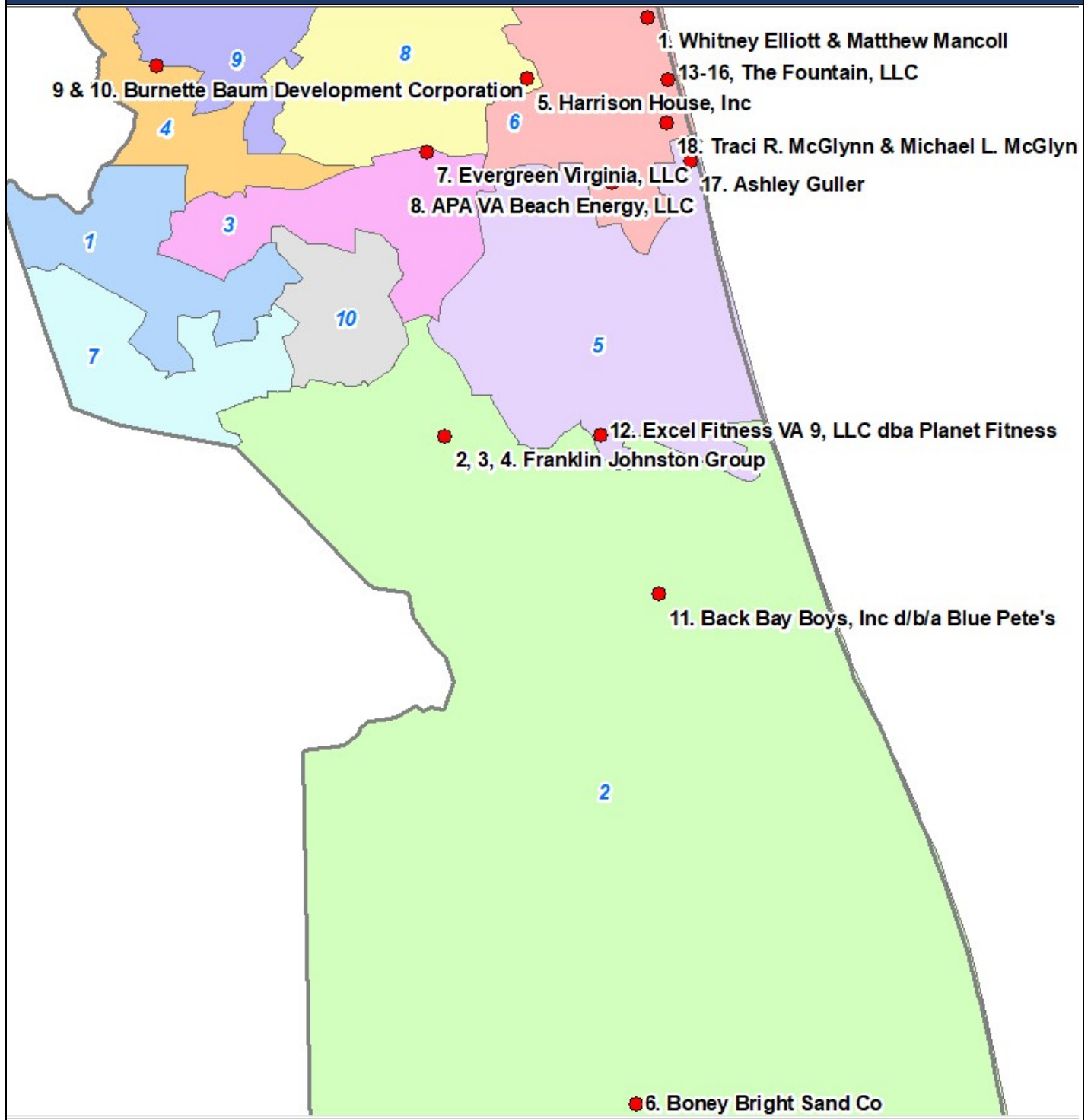
Planning Commission Hearing Procedures

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.

OCTOBER 11, 2023
PLANNING COMMISSION AGENDA



PLANNING COMMISSION AGENDA

A. COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION

B. BRIEFINGS

1. AICUZ Amendment, Brandon Hackney, Deputy Zoning Administrator
2. Mini-Storage in B-4C, Brandon Hackney, Deputy Zoning Administrator

12:00 P.M. – PUBLIC HEARING

1. **APPROVAL (Council on November 14)**

Whitney W. Elliott, Matthew E. Mancoll & Robin

A. Mancoll (Applicants)

Whitney W. Elliott, Matthew E. Mancoll, Robin

A. Mancoll, The Linda Eaton Golding Amended and Restated Revocable Trust u/a/d April 22, 1992 (Property Owners)

Street Closure

Address: 50' by 15' portion of an unimproved alley between Lots 12 & 21, Block 11, Ubermeer Subdivision

Adjacent GPIN(s): 2418796899 & 24197060520002

City Council: District 6

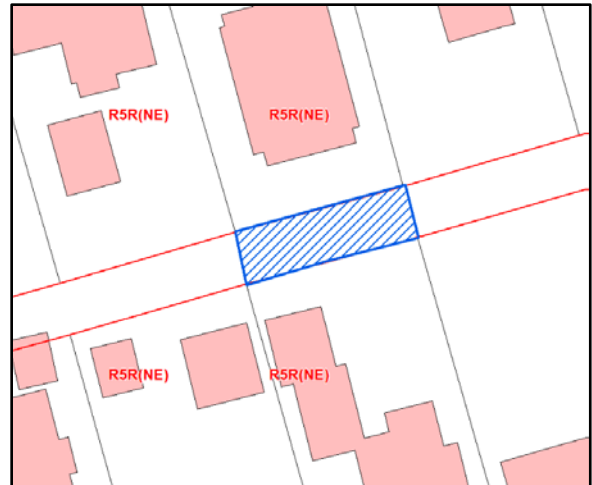
Accela Record(s): 2023-PCCC-00133

SGA: No

Overlay: North End

Staff Planner: Hoa N. Dao

Requests for closure of a 15-foot wide unimproved alley.



2, 3, & 4. **APPROVAL (Council on October 17)**

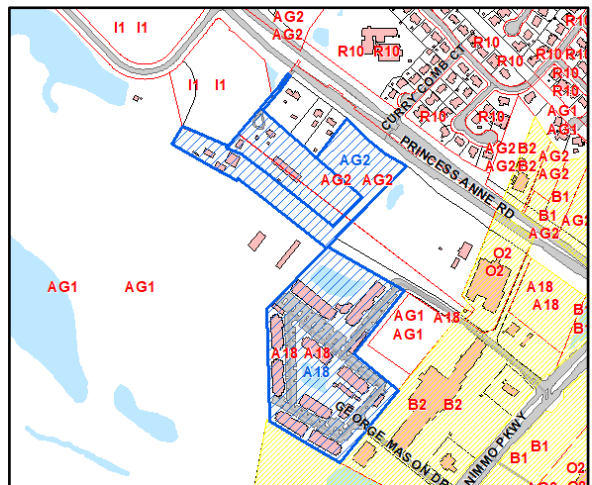
Franklin Johnston Group Management & Development, LLC (Applicant)

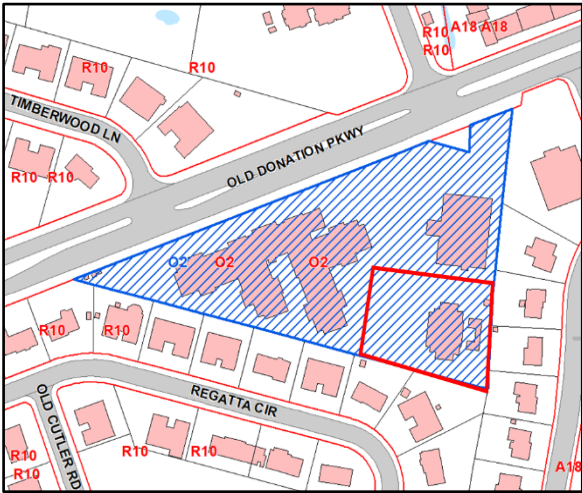
Addie S. Vandemel Revocable Trust & et al, William E. & Phyllis H. Sawyer, Keelingwood Apartments, LLC (Property Owners)

Conditional Rezoning (AG-1 & AG-2 Agricultural Districts to Conditional A-18 Apartment District w/ Workforce Housing Overlay District)

Modification of Proffers

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



<p>Addresses: 2737 Princess Anne Road & eastern adjoining parcel, 2520 Allie Nicole Circle GPIN(s): Portion of 1494547938, portion of 1494543861, 1494534876 City Council: District 2 Accela Record(s): 2023-PCCC-00145, 2023-PCCC-00158, 2023-PCCC-00159 SGA: No Overlay: Yes – TA/ITA Staff Planner: Hoa N. Dao</p> <p><i>Requests to rezone ~6.26 acres from AG-1 & AG-2 to Conditional A-18, amend the previous rezoning request to add 176 apartment units, resulting in an overall density of 18.94 units per acre, and to reconfigure two parcels into two lots, where one of the lots does not meet the required lot width or street line frontage.</i></p>	
<p>5. DEFERRED Harrison House, Inc (Applicant) The Regent of Virginia Beach, LLC (Property Owner)</p> <p>Modification of Conditions</p> <p>Address: 1851 Old Donation Parkway GPIN(s): 24084334511851 City Council: District 8 Accela Record(s): 2023-PCCC-00130 SGA: No Overlay: No Staff Planner: Marchelle Coleman</p> <p><i>Request to amend previously approved condition to allow treatment of substance abuse patients.</i></p>	

6. APPROVAL (Council on November 14)

Bonney Bright Sand Co (Applicant)

Bonney G. Bright (Property Owner)

Modification of Conditions (Borrow Pit Expansion)

Address: 200 Princess Anne Road

GPIN(s): 2317621327, 2317709466,
2317723259, 2317612520, 2317603371

City Council: District 2

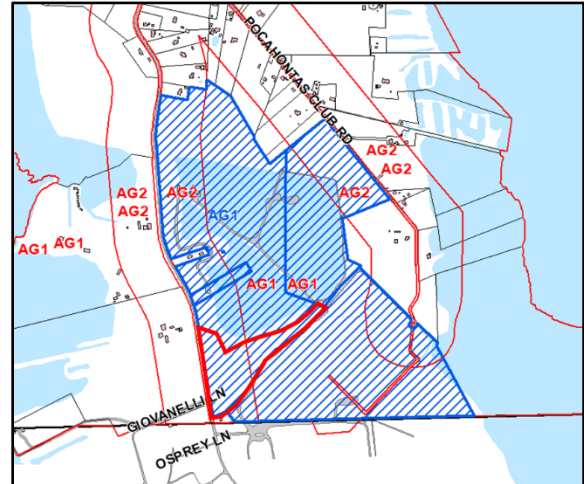
Accela Record(s): 2023-PCCC-00129

SGA: No

Overlay: No

Staff Planner: Marchelle Coleman

Request to amend previous approval to add 13.9 additional acres to the existing mining operation.



7. APPROVAL (Council on November 14)

Evergreen Virginia, LLC (Applicant & Property Owner)

Modification of Conditions (Motor Vehicle Sales, Rentals & Repairs)

Addresses: 240 & 248 N. Lynnhaven Road &
2865 & 2893 Virginia Beach Boulevard

Adjacent GPIN(s): 1497358365, 1497357774,
1497358684, & 1497356822

City Council: District 3

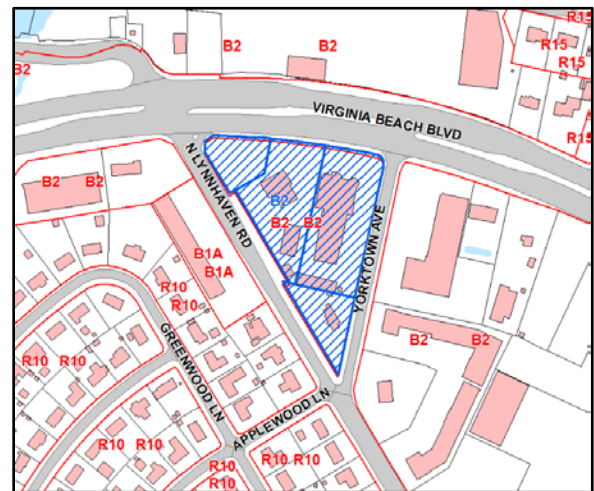
Accela Record(s): 2023-PCCC-00140

SGA: Lynnhaven

Overlay: No

Staff Planner: Marchelle Coleman

Request to amend the site layout of previous approval to expand the showroom for the dealership.



8. DEFERRED

APV VA Beach Energy, LLC (Applicant)
Sykes Real Properties, LLC (Property Owner)

Conditional Use Permit (Battery Energy Storage System)

Addresses: Parcel between 221 & 301 South Birdneck Road and the adjoining western parcel
GPIN(s): 2417328009, 2417427222

City Council: District 6

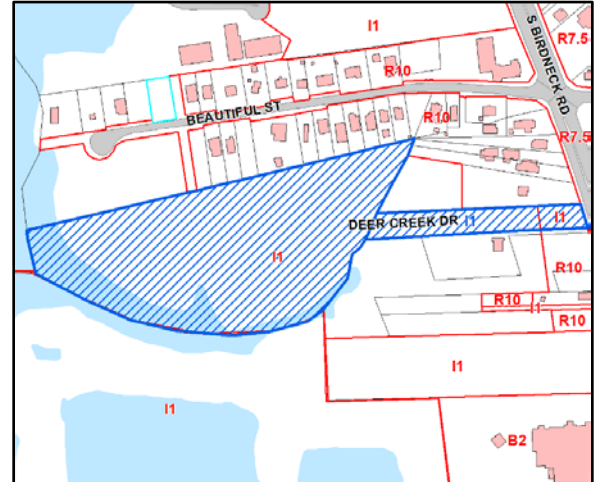
Accela Record(s): 2023-PCCC-00097

SGA: No

Overlay: No

Staff Planner: Marchelle Coleman

Request to construct a 40-megawatts alternating current battery energy storage system facility.



9. & 10. APPROVAL (Council on November 14)

Burnette Baum Development Corporation
(Applicant)

RVB 3 LLC (Property Owner)

Conditional Use Permit (Car Wash Facility)

Modification of Proffers

Address: 5453 Wesleyan Drive

Adjacent GPIN(s): 1468447741

City Council: District 4

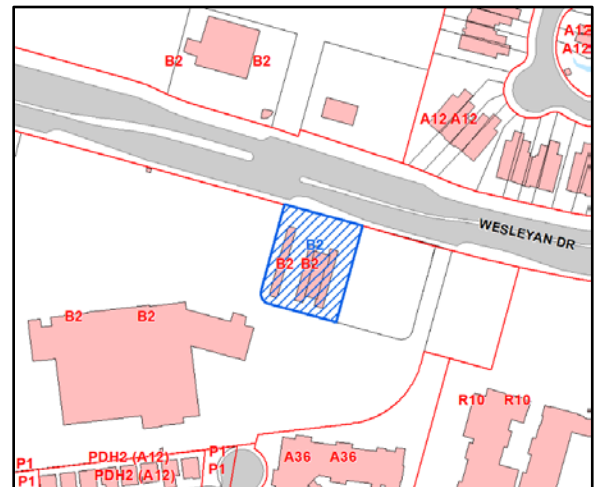
Accela Record(s): 2023-PCCC-00134, 2023-PCCC-00149

SGA: No

Overlay: No

Staff Planner: Elizabeth Nowak

Request to modify proffers to allow car wash facility and to operate a single-bay automated car wash facility.



11. DEFERRED

Back Bay Boys, Inc d/b/a Blue Pete's

(Applicant)

Blue Pete's, LLC (Property Owner)

Conditional Use Permit (Assembly Use)

Address: 1400 North Muddy Creek Road

GPIN(s): 2412878782

City Council: District 2

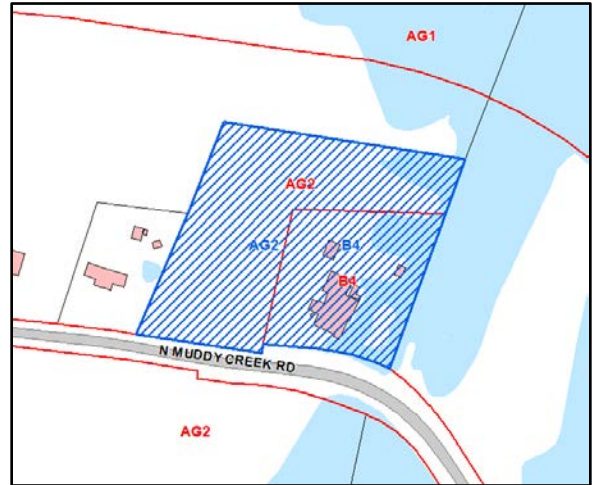
Accela Record(s): 2023-PCCC-00030

SGA: No

Overlay: No

Staff Planner: Elizabeth Nowak

Request for an Assembly Use to host more than 4 events per year and to advertise musical performers and entertainers.



12. APPROVAL (Council on November 14)

Excel Fitness VA 9, LLC dba Planet Fitness

(Applicant)

General Booth Properties of VA Beach, Inc
(Property Owner)

Conditional Use Permit (Indoor Recreational Facility)

Address: 2336 Elson Green Avenue

GPIN(s): 2414245953

City Council: District 5

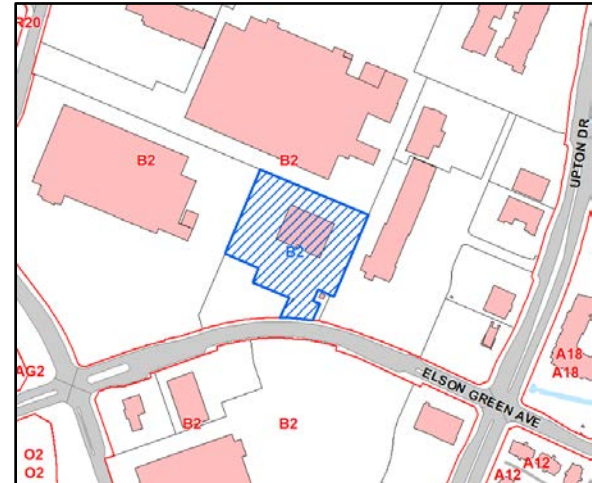
Accela Record(s): 2023-PCCC-00139

SGA: No

Overlay: No

Staff Planner: Michaela D. McKinney

Request to operate an indoor fitness facility.



SHORT TERM RENTALS

13-16. **APPROVAL (Council on November 14)** **The Fountain, LLC** (Applicant & Property Owner)

Conditional Use Permits (Short Term Rentals)

Addresses: 307 34th Street

GPIN(s): 2418938232

City Council: District 6

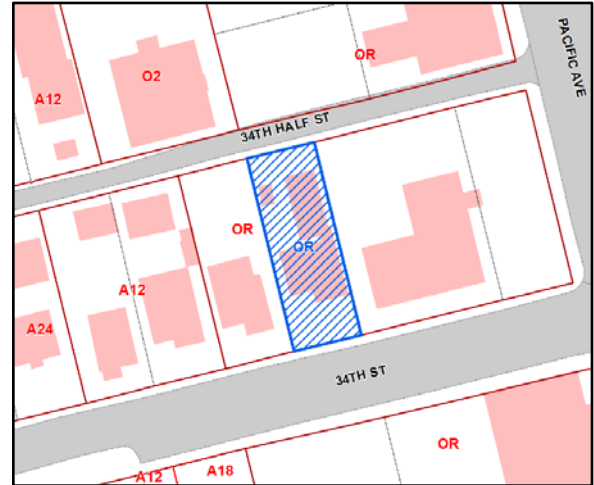
Accela Record(s): 2023-PCCC-00135 thru 2023-PCCC-00138

SGA: Yes – Resort Area

Overlay: OR Overlay

Staff Planner: Pamela Witham

Request to operate four, three-bedroom Short Term Rentals.



17. **APPROVAL (Council on November 14)** **Ashley Guller** (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 921 Pacific Avenue, Unit B

GPIN(s): 24272444111130

City Council: District 5

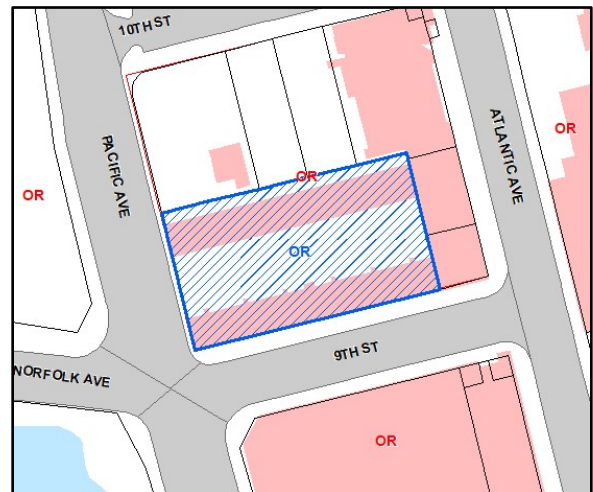
Accela Record(s): 2023-PCCC-00125

SGA: Yes – Resort Area

Overlay: OR Overlay

Staff Planner: Pamela Witham

Request to operate a 1-bedroom Short Term Rental.



18. **APPROVAL (Council on November 14)** **Traci R. McGlynn & Michael L McGlynn** (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 523 22nd Street

GPIN(s): 2417987516

City Council: District 6

Accela Record(s): 2023-PCCC-00141

SGA: Yes – Resort Area

Overlay: OR Overlay

Staff Planner: Pamela Witham

Request to operate a four-bedroom Short Term Rental.

