

**CITY OF CHESAPEAKE  
CITY COUNCIL MEETING  
MARKED AGENDA  
January 15, 2008  
6:30 P.M.  
City Hall Council Chamber  
306 Cedar Road**

**\*\* ALL PRESENTATION MATERIALS MUST BE REVIEWED BY THE  
CITY CLERK PRIOR TO 6:30 P.M.\*\***

**NOTE:** COPIES OF BACKUP MATERIALS FOR ALL AGENDA ITEMS, INCLUDING THE APPLICATION AND SUPPORTING MATERIALS FOR THE PLANNING PUBLIC HEARING ITEMS MAY BE VIEWED IN THE CITY CLERK'S OFFICE OR THE PLANNING DEPARTMENT AT ANY TIME DURING NORMAL BUSINESS HOURS OF 8:30 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

**REMINDER:** The work session will begin at 5:00 p.m. in the 4<sup>th</sup> floor Human Resources Training Room. The topics of discussion will be:

- 1) Belharbour Updates
- 2) City Manager Updates

The City Council Work Sessions and Meetings can be viewed live on WCTV-48 and heard on WFOS-FM 88.7. Meetings are retelecast on WCTV-48 at the following times: Tuesday - Work Session at 11:30 p.m. and Meeting at 12:30 a.m.; Wednesday - Work Session at 1:00 p.m. and Meeting at 2:00 p.m. and Saturday - Work Session at 8:00 p.m. and Meeting at 9:00 p.m.

**PLEASE NOTE: Speaker Cards will not be accepted for the Council Meeting after 6:30p.m.** Citizens who wish to speak may register on the date of the meeting in the City Council Chamber before 6:30 p.m. Citizens may also pre-register by calling the City Clerk's Office at 382-6151, Monday through Friday, (8:30 a.m. - 5:00 p.m.) prior to, and including the date of the Council meeting.

***NO FOOD OR DRINKS PERMITTED IN THE CITY COUNCIL  
CHAMBER***

***PLEASE TURN OFF CELL PHONES WHILE IN THE CHAMBER***

**CITY OF CHESAPEAKE  
CITY COUNCIL MEETING  
MARKED AGENDA  
January 15, 2008  
6:30 P.M.  
City Hall Council Chamber  
306 Cedar Road**

1. INVOCATION – Dr. A. Wayne Cooke – Elizabeth River Baptist Church
2. PLEDGE OF ALLEGIANCE TO THE FLAG – Council Member Collins
3. ROLL CALL BY CITY CLERK – Vice Mayor Parker (excused)
4. APPROVAL OF MINUTES - n/a
5. PUBLIC HEARING

APPLICANTS', AGENTS, AND CITIZENS' COMMENTS ON PUBLIC HEARING ITEMS

COUNCIL'S CONSIDERATION OF PUBLIC HEARING ITEMS:

- A. **R(C)-04-05 (Rev 9/07) PROJECT: Bells Hollow Estate Condominium**  
APPLICANT: Bells Hollow, LLC AGENCY: Hassell & Folkes, PC PROPOSAL: A request to change the proffer statement of R(C)-04-05, Bells Hollow Condominiums, to eliminate the age restricted requirement and to amend the approved building materials. EXISTING COMP LAND USE & DENSITY: Low density residential LOCATION: 636 Washington Drive TAX MAP SECTION/PARCEL: 0591011000001, 0591011000002, 0591011000180, 0591011000190 BOROUGH: Pleasant Grove (Continued from the December 18, 2007 City Council Meeting)

The Planning Commission recommends denial.

**APPROVED WITH PROFFERS (Collins/Hayes) (5-3) (Council Members Adams, de Triquet and Krasnoff voted no)(Vice Mayor Parker excused)**

- B. **R(C)-07-27 PROJECT: Kempsville Professional Center** APPLICANT: Kempsville Ventures, LLC; Cory B. Cutright & Eric G. Olson AGENCY: Basnight, Kinser, Telfeyan, Leftwich & Nuckolls, PC PROPOSAL: A conditional zoning reclassification of approximately 2.421 acres from R-15s, Residential District to O&I, Office and Institutional District for an office building. PROPOSED COMP LAND USE & DENSITY: Office EXISTING COMP LAND USE & DENSITY: Office, Research & Commerce LOCATION: 624, 630, & 632 Kempsville Road TAX MAP SECTION/PARCEL: 0370000000610, 0370000000620, 0370000000630 BOROUGH: Washington (Continued from the December 18, 2007 City Council Meeting)

The Planning Commission recommends approval with the following proffers:

1. The applicant/owner agrees to provide a right turn lane on Kempsville Road into the subject property within existing right-of-way and any necessary frontage of the property subject to this application. The turn lane shall be approved by Public Works and be in substantial compliance with the Public Works PFM. The turn lane shall be completed and dedicated to the City before approval of a certificate of occupancy.
2. The applicant/owner agrees to provide a 30' stub drive aisle and an ingress/egress easement benefiting tax map ID 0370000000600 to allow vehicular access to Kempsville Road through the property subject to this rezoning. The location and dimensions of the stub drive aisle and ingress/egress easement shall be approved by the Director of Public Works or designee. The easement shall be recorded or filed for recording before approval of a final site plan and the stub drive aisle shall be completed before approval of a certificate of occupancy.
3. The applicant/owner shall provide a 1' non-ingress/egress easement along the property's frontage with Kempsville Road except for the entrance as approved by the Director of Public Works or designee. The easement shall be recorded or filed for recording before approval of a final site plan.
4. The applicant/owner agrees that no electronic message board shall be constructed on the subject property.
5. The applicant/owner agrees that all buildings constructed on the subject property shall be consistent with the architectural rendering marked as "Architectural rendering for R(C)-07-27" as approved by the Director of Public Works or designee.
6. The applicant/owner agrees to preserve the vegetated area located on the western, eastern and southern property lines as existing on November 8, 2007 and, to the extent practical during construction, shall not disturb the area as approved by the City Arborist.

7. The applicant/owner agrees that the subject property shall not be used for an eating or drinking place as a principal use.

**APPROVED WITH PROFFERS (Collins/Ward) (8-0) (Vice Mayor Parker excused)**

- C. **R-07-33 PROJECT:** Dave's Cabinet Expansion APPLICANT: Dave's Cabinet, LLC AGENCY: Site Improvements Inc. PROPOSAL: A conventional zoning reclassification of 9<sup>±</sup> acres from A-1 Agricultural District to M-1, Light Industrial District, for expansion of an existing business. PROPOSED COMP LAND USE & DENSITY: Industrial EXISTING COMP LAND USE & DENSITY: Rural with one dwelling unit per 3 acres of land. LOCATION: 132 Woodworkers Court TAX MAP SECTION/PARCEL: 0970000001060, 0970000001070 BOROUGH: Butts Road

The Planning Commission recommends approval.

**APPROVED (de Triquet/Ward) (8-0) (Vice Mayor Parker excused)**

- D. **R(C)-07-31 PROJECT: Oakbrooke Crossings** APPLICANT: Dragas Associates, Inc. AGENCY: Kaufman & Canoles, PC PROPOSAL: A conditional zoning reclassification of 17.58 acres from R-15s, Residential District to R-MF-1, Residential Multi-family (14.19 acres) and B-1, Neighborhood Business District (3.39 acres). PROPOSED COMP LAND USE & DENSITY: Medium Density Residential EXISTING COMP LAND USE & DENSITY: Medium Density Mixed Use LOCATION: 412, 420, 428, 432, 440, & 442 Clearfield Avenue TAX MAP SECTION/PARCEL: 0480000000961, 0480000000970, 0480000000940, 0480000000941, 0480000000950 BOROUGH: Washington

The Planning Commission recommends approval with the following proffers:

1. The applicant/owners agree to make public right-of-way improvements which shall be reflected on the final site plan as required by the Public Works Director or designee. The applicant/owners agree that these improvements shall include the following:
  - a. Construction of a left turn lane on Clearfield Avenue into the proposed development. The left turn lane shall be designed as a two-way left turn lane to include the existing entrance to Peyton Estates Subdivision. The applicant/owner agrees to complete this improvement before the issuance of any certificate of occupancy.

- b. Construction to extend Lans Way to its intersection with the future Green Tree Road as shown on the 2050 Master Transportation Plan adopted by City Council on March 9, 2005. The extension shall be located and constructed in accordance with the requirements of the Public Facilities Manual and with sufficient and acceptable cul-de-sac turn around as determined by the Director of Public Works or designee. The applicant/owner agrees to complete this improvement before the issuance of any certificate of occupancy.
- c. The dedication of a 15-foot width of property for right of way along the frontage on Clearfield Avenue. The applicant/owner shall also provide a 1-foot non-ingress/egress easement along the parcel's frontage to Clearfield Avenue excluding the area to be designated for access to Clearfield. This non-ingress/egress easement shall be recorded prior to the issuance of any certificate of occupancy for a residential structure on the property.
- d. The perpetual reservation of right-of-way, at no cost to the city, for the ultimate construction and extension of Green Tree Road. The location of this improvement shall be as shown on the 2050 Master Transportation Plan adopted by City Council on March 9, 2005. Minor deviation from the 2050 proposed location, as determined by the Director of Public Works, or designee, may be permitted to accommodate the ultimate site design of the development. The reservation required under this proffer shall be recorded by a deed prior to the issuance of any certificate of occupancy for a residential structure within the development.
- e. Construction of the entrance on Clearfield Avenue immediately east of the proposed B-1 parcel, identified as Tax Map Parcel 0480000000940, shall be limited to a right-in/right-out entrance and the location of the entrance shall be constructed in accordance with the Public Facilities Manual.
- f. Access to the future extension of Green Tree Road from the B-1 zoned parcel shall be restricted to a right-in/right-out entrance. The location of the entrance shall be constructed in accordance with the Public Facilities Manual.

2. The applicant/owners agree to the removal of any above-ground storage tanks, storage drums, petroleum product and/or petroleum contaminated soils in accordance with all local, state, and Federal Solid Waste Management Regulations. Such removal shall be conducted by a Qualified Environmental Professional ("QEP") who shall provide copies of all disposal manifests, tank closure reports, and confirmatory sampling/analysis data to the Department of Public Works Director, or designee, for review and approval prior to the approval of any erosion and sediment control plans.
3. In consideration of providing 120 affordable multifamily housing units to the City of Chesapeake, the applicant/owners agree to make a cash contribution for the construction or expansion of public school facilities including but not limited to land acquisition for additional classroom space in the school planning district in which the subject property is located. The amount of the cash contribution shall be \$3,811.44 per residential dwelling unit shown on the approved final site plan. The cash contribution shall be paid to the City prior to final site plan approval. The cash contribution shall be deposited in the City of Chesapeake's school lockbox also known as the general fund reserve for school capital construction cost for the affected school district and shall be subject to City Council approval prior to appropriation.
4. The applicant/owners agree that the residential structures constructed on the property shall be substantially similar, as determined by the Director of Planning or designee, to the photographic exhibit date stamped November 28, 2007.
5. The applicant/owners agree that the commercial building to be constructed on the property will be clad to work harmoniously with the residential materials in colors and textures with materials being substantially the same, as determined by the Director of Planning or designee, as those used in the commercial/industrial properties at the Oakbrook Business & Technology Center consisting of one or more of the following: brick, stone, split-face block, tile, metal clad panels, glass and metal storefront systems.

**The applicant has offered the following revised proffers:**

1. The applicant/owners agree to make public right-of-way improvements which shall be reflected on the final site plan as required by the Public Works Director or designee. The applicant/owners agree that these improvements shall include the following:
  - a. Construction of a left turn lane on Clearfield Avenue into the proposed development. The left turn lane shall be designed as a two-way left turn lane to include the existing entrance to Peyton Estates Subdivision. The applicant/owner agrees to complete this improvement before the issuance of any certificate of occupancy.
  - b. Construction to extend Lans Way to its intersection with the future Green

Tree Road as shown on the 2050 Master Transportation Plan adopted by City Council on March 9, 2005. The extension shall be located and constructed in accordance with the requirements of the Public Facilities Manual and with sufficient and acceptable cul-de-sac turn around as determined by the Director of Public Works or designee. The applicant/owner agrees to complete this improvement before the issuance of any certificate of occupancy.

- c. The dedication of a 15-foot width of property for right of way along the frontage on Clearfield Avenue. The applicant/owner shall also provide a 1-foot non-ingress/egress easement along the parcel's frontage to Clearfield Avenue excluding the area to be designated for access to Clearfield. This non-ingress/egress easement shall be recorded prior to the issuance of any certificate of occupancy for a residential structure on the property. To the extent that the Applicant/Owners have any prescriptive rights that may be within the existing right-of-way of Clearfield Avenue from the centerline to the property's frontage on Clearfield Avenue, those rights are to be dedicated to the city before the issuance of a Certificate of Occupancy for any residential structure to be constructed on the property.
- d. The perpetual reservation of right-of-way, which will be provided upon demand by the City at no cost to the City, for the ultimate construction and extension of Green Tree Road. The location of this improvement shall be as shown on the 2050 Master Transportation Plan adopted by City Council on March 9, 2005. Minor deviation from the 2050 proposed location, as determined by the Director of Public Works, or designee, may be permitted to accommodate the ultimate site design of the development. The reservation required under this proffer shall be recorded by a deed prior to the issuance of any certificate of occupancy for a residential structure within the development.
- e. Construction of the entrance on Clearfield Avenue to the proposed B-1 parcel, identified as Tax Map Parcel 0480000000940, shall be limited to a right-in/right-out entrance and the location of the entrance shall be constructed in accordance with the Public Facilities Manual. The applicant/owners agree to complete this improvement before the issuance of any certificate of occupancy to be issued for commercial uses on the proposed B-1 parcel.
- f. Access to the future extension of Green Tree Road from the B-1 zoned parcel shall be restricted to a right-in/right-out entrance. The location of the entrance shall be constructed in accordance with the Public Facilities Manual.

4. The applicant/owners agrees to make a cash contribution to the City of Chesapeake for capital improvements to public libraries including but not limited to land acquisition, design, construction, expansion, renovation, and repair of buildings and acquisition of capital assets necessary to the operation of public libraries. The amount of the voluntary cash contribution shall be \$701.45 per residential dwelling unit as shown on the approved final site plan. The applicant/owners agree to make the proffered cash contribution prior to site plan approval.
5. The applicant/owners agree to make a cash contribution to the City of Chesapeake for capital improvements to public emergency service facilities including but not limited to land acquisition, design, construction, expansion, renovation, and repair of buildings, and acquisition of capital assets necessary to the provision of emergency fire and medical services to the citizens of Chesapeake. The amount of the voluntary cash contribution shall be \$474.77 per residential dwelling unit as shown on the approved final site plan and shall be paid prior to site plan approval.
6. The applicant/owners agree that it shall include as a term of its Declaration of Condominium and Condominium Association Bylaws that the number of units that may be offered by any owner for rental shall not exceed ten percent (10%) of the total number of units and that any amendment to such provision shall require a unanimous vote by the owners of the units.

**APPROVED WITH REVISED PROFFERS (Hayes/Collins) (7-1) (de Triquet voted no) (Vice Mayor Parker excused)**

- E. **R(C)-07-29 PROJECT: Griffey Rezoning** - 568 Kempsville Road APPLICANT: Paul M. Griffey, MD AGENCY: Kaufman & Canoles, PC PROPOSAL: A conditional zoning reclassification of a 0.62 acre parcel from R-15s, Single-family Residential District to B-1, Neighborhood Business District. PROPOSED COMP LAND USE & DENSITY: General Business/Commercial EXISTING COMP LAND USE & DENSITY: Suburban Single-family with 1 unit per acre to something less than 4 units per acre. LOCATION: 568 Kempsville Road TAX MAP SECTION/PARCEL: 0370000000570 BOROUGH: Washington

The Planning Commission recommends approval with the following proffers:

1. The Applicant/Owners agree that, the uses of the subject property will be limited to SIC Industry Groups 591, 641, 653, 654, 722, 729, 801-804, 811, 871 or 872, or such similar uses only within these SIC Industry Groups as determined by the Zoning Administrator.
2. The Applicant/Owners agree that the architectural design of any structure constructed on the property will be compatible with the Suburban and Residential character of the surrounding properties as determined by the Planning Director or designee.

3. The Applicant/Owners agree to a stub drive aisle with ingress/egress easement benefiting the adjacent parcel to the northeast with tax map ID 0370000000580 to allow vehicular access to Kempsville Road through the subject property. The location and dimensions of the stub drive aisle and ingress/egress easement shall be approved by the Director of Public Works or designee. The easement shall be recorded or filed for recording prior to final site plan approval and the stub drive aisle shall be completed before approval of a certificate of occupancy.
4. The Applicant/Owners agree that there shall be no stand alone restaurant allowed within the building to be constructed on the subject property.

**APPROVED WITH PROFFERS (de Triquet/Ward) (8-0) (Vice Mayor Parker excused)**

- F. **R(C)-07-32 PROJECT: Office for Crossroads Fuels** APPLICANT: Crossroad Properties Inc. AGENCY: Horton & Dodd, PC PROPOSAL: A conditional zoning reclassification of 0.54 acre from A-1, Agricultural District to B-1, Neighborhood Business District for an office building. PROPOSED COMP LAND USE & DENSITY: Office EXISTING COMP LAND USE & DENSITY: Low Density Residential LOCATION: 1441 Fentress Road TAX MAP SECTION/PARCEL: 0610000000780 BOROUGH: Pleasant Grove

The Planning Commission recommends approval with the following proffers:

1. The Applicant/Owners agree that the uses of the subject property will be limited to SIC Industry Groups 571, 641, 654, 653, 722, 729, 801-804, 811, 871 or 872, or such similar uses only within these SIC Industry Groups as determined by the Zoning Administrator. In addition to these uses, any office use may also have a portion of the building used as a showroom for the sale of related items that the business occupying the site as an office may offer as permitted by the Zoning Ordinance.
2. The existing house on the site has been determined to be unsuitable for redevelopment as an office. The owner will offer the house to any individual or company that would like to move the house to another site for reuse. The cost to move the house must be solely born by the entity accepting the offer.

3. The Applicant / Owner agrees that any building(s) constructed on this site shall be developed to appear residential in nature as exemplified by the architectural rendering entitled "New Office Building for Crossroads Fuel Service, II" dated July 24, 2006, by Crow Architectural Services. In addition, the façade(s) shall be compatible with the architecture for residential homes in the Fentress area. Prior to the issuance of a building permit, architectural plans which indicate the exterior appearance, finishes, and colors of the proposed building shall be submitted to, and approved by, the Planning Director or designee. The said architectural plans shall be incorporated into the building plans that are approved with the building permit(s).
4. The Applicant / Owner agrees that the parking lot for the development shall be screened from Fentress Road with a streetscape buffer including 30% more plantings that required by Chesapeake's Landscape Architect prior to final approval of a site development plan for this parcel.

**CONTINUED TO FEBRUARY 19, 2008 (Krasnoff/Ward) (8-0) (Vice Mayor Parker excused)**

- G. **UP-07-42 PROJECT: Southgate Plaza Cingular Monopole** APPLICANT: Cingular Wireless AGENCY: Bowman, Green, Hampton, & Kelly, PLLC PROPOSAL: A conditional use permit to allow a 150 foot monopole communication tower on 7000 square foot leased parcel behind the Southgate Plaza Shopping Center. ZONE: B-2, General Business District SIC CODE: 48 LOCATION: 2309 Bainbridge Blvd. TAX MAP SECTION/PARCEL: 1390000001910 BOROUGH: South Norfolk (Continued from the December 18, 2007 City Council Meeting)

The Planning Commission recommends denial.

**DENIED (de Triquet/Ward) (7-1) (Collins voted no) (Vice Mayor Parker excused)**

- H. **UP-07-27 PROJECT: Bedford Street Offices** APPLICANT: Banks & Salamon, LLC AGENCY: Blakeway Corporation PROPOSAL: A conditional use permit to allow office space for general contractors on 6 acres within the Fentress Overlay District. The applicant also requests an alternative parking surface in accordance with Section 19.406.c.1 of the Zoning Ordinance. ZONE: A-1, Agricultural District SIC CODE: 154 LOCATION: South side of Bedford Street west of Maxwell Street TAX MAP SECTION/PARCEL: Portion of 0630000000310 BOROUGH: Butts Road

The Planning Commission recommends denial.

**DENIED (de Triquet/Willis) (5-3) (Adams, Collins and Hayes voted no) (Vice Mayor Parker excused)**

- I. **UP-07-46 PROJECT: Primrose School of Deep Creek** APPLICANT: Primrose Schools Franchising Company AGENCY: Resource International LTD PROPOSAL: A conditional use permit for child day care services on 2.2 acres. ZONE: B-2, General Business SIC CODE: 8351 LOCATION: Northwest quadrant of Grassfield Parkway and Cahoon Parkway TAX MAP SECTION/PARCEL: 0460000001670 BOROUGH: Deep Creek

The Planning Commission recommends approval with the following stipulations:

1. The applicant/owner agrees to obtain an ingress/egress easement through the adjacent site of Dominion Commons Shopping Center prior to site plan approval in accordance with Public Works requirements.
2. The applicant/owner agrees that a 20% tree canopy shall be provided.
3. The applicant/owner agrees that trees located within the 20 foot wooded area indicated on the Preliminary Site Plan, Sheet L-1, shall be saved or a 2 to 3 foot curvilinear berm shall be provided to be landscaped as required by the City Arborist.
4. The applicant/owner agrees that an underground sprinkler system shall be installed to maintain the landscaping.
5. The applicant/owner agrees that the ground mounted lighting shall have a black, shoe box fixture.

**APPROVED WITH STIPULATIONS (Krasnoff/Ward) (7-0) (de Triquet out of chamber) (Vice Mayor Parker excused)**

- J. **UP-07-50 PROJECT: Western Branch Avis Rent-A-Car** APPLICANT: Avis Rent-A-Car AGENCY: Hoggard-Eure Associates, PC PROPOSAL: A conditional use permit to operate a car rental facility within a shopping center on 1.4 acres. ZONE: B-1, Neighborhood Business SIC CODE: 75 LOCATION: 3333 Western Branch Boulevard TAX MAP SECTION/PARCEL: 0050000000820 BOROUGH: Western Branch

The Planning Commission recommends approval with the following stipulations:

1. There shall be no maintenance of vehicles in the shopping center's parking lot for any rental/lease motor vehicles associated with this conditional use permit.
2. The subject business shall have no more than 11 rental vehicles on the subject site.

3. A final site plan shall be required and must show the designated parking spaces for the rental vehicles. Such spaces shall be in accordance with the setbacks as required under Section 7-302.F. of the Chesapeake Zoning Ordinance.
4. No signage of any type shall be placed on the vehicles for rent.

**APPROVED WITH STIPULATIONS (Ward/Krasnoff) (7-0) (de Triquet out of chamber) (Vice Mayor Parker excused)**

- K. **UP-07-51 PROJECT: Meeks Disposal Corporation Recycling Facility**  
 APPLICANT: Meeks Disposal Corporation AGENCY: Huff, Poole & Mahoney, PC  
 PROPOSAL: A conditional use permit for a construction and demolition debris recycling facility on 7<sup>±</sup> acres and waiver from the side yard setback on the north side of the proposed facility from 150 feet to 50 feet in accordance with Section 62-92 of the Chesapeake City Code. The applicant also requests permission to utilize all side yard setbacks for uses other than buffering. ZONE: M-1, Light Industrial SIC CODE: 495 LOCATION: 1328 Cavalier Boulevard TAX MAP SECTION/PARCEL: 0240000000561 BOROUGH: Deep Creek

The Planning Commission recommends approval with the following stipulations:

1. The facility shall only accept, sort, process, and deliver construction and demolition debris waste consisting primarily of steel, wood, shingles, sheetrock, concrete and the like for recycling. Approval of the Conditional Use Permit only authorizes the use of the subject property as a transfer station. Solid waste shall not be permanently stored or disposed of at the subject site. **The crushing of concrete or other materials approved by the Virginia Department of Environmental Quality as Air Registration Number 61505 as of January 15, 2008 is not covered by this Conditional Use Permit and is subject to the Chesapeake Zoning Ordinance.**
2. No hazardous or household waste shall be accepted at the site.
3. All required federal, state, and local permits shall be obtained prior to the issuance of a Certificate of Occupancy for the facility.

**APPROVED WITH STIPULATIONS, AMENDED STIPULATION #1 AND ADDITIONAL STIPULATIONS: (Krasnoff/Hayes) (6-1) (Edge voted no) (Vice Mayor Parker and Council Member de Triquet excused)**

4. **The proposed new indoor recycling building shall contain no doorways, windows or other openings on the northern façade of the proposed building, except required emergency access ways. An opening no greater than 40' on the western façade of the building is acceptable.**

5. Meeks shall maintain a contract with a street cleaning company to keep the access ways into Meeks site and the paved areas within Meeks property clean and free of dirt or debris.
6. The portions of the Meeks site which are not paved in conjunction with your new operation shall be watered down as many times a day as necessary to prevent dust from leaving the Meeks property.
7. Meeks shall maintain the shrubs and/or trees (they have recently planted) along Meeks northern property line.
8. Meeks shall orient the piles of aggregate as far away from its northern and western property lines as possible.
9. By January 31, 2009, Meeks shall either relocate its existing concrete crushing operations as it exists today and all associated aggregate piles to another property not contiguous to the First Potomac property, or Meeks shall fully enclose its existing concrete crushing operation and all associated aggregate piles in a structure enclosed on three sides with a roof and proper ventilation equipment to contain the impacts of this operation. The opening of this building shall be oriented toward the east or southern portions of the Meeks property.
10. Conditions 5, 6, and 8 listed above shall terminate when condition 9 listed above has been satisfied.

- L. **ST.C-07-07 PROJECT: Christian Avenue Street Closure** APPLICANT: Charlie E. A. Morgan, Jr. & Joann W. Morgan AGENCY: The Law Firm of Christopher Falk PROPOSAL: A street closure request for a 40' x 180' foot right-of-way for Christian Avenue (paper street) between Wilcox Avenue and Robertson Boulevard. ZONE: M-2, General Industrial District LOCATION: Christian Avenue between Wilcox Avenue and Robertson Boulevard TAX MAP SECTION/PARCEL: 1570000000440, 1570000000260, 1570000000270 BOROUGH: South Norfolk

The Planning Commission recommends approval with the following stipulation:

- The applicant shall vacate all interior/exterior property lines by an approved resubdivision plat and the plat shall be filed for recording within 90 days of approval of this street closure.

**APPROVED WITH STIPULATION (Collins/Ward) (6-1) (Hayes voted no) (Vice Mayor Parker and Council Member de Triquet excused)**

- M. **City Manager Updates**

6. COMMITTEE REPORTS
7. OLD AND NEW BUSINESS
  - A. Consideration of joining the Coalition on Illegal Immigration (Council Member Willis)

**MOTION TO APPROVE FAILED (Willis/Edge) (3-4) (Council Members Adams, Collins, Hayes and Ward voted no) (Vice Mayor Parker and Council Member de Triquet excused)**

8. CLOSED SESSION (If called)
9. ADJOURNMENT – **12:10 a.m.**