

Department of Planning
Post Office Box 15225
Chesapeake, Virginia 23328
(757) 382-6176
FAX (757) 382-6406

MARKED AGENDA

Chesapeake Planning Commission

**PUBLIC HEARING – JULY 12, 2006
CITY COUNCIL CHAMBER – 7:00 P.M.**

- A. Call to Order: Chairman Peoples
- B. Invocation: Commissioner Ward
- C. Pledge of Allegiance: Chairman Peoples
- D. Roll Call: Commissioner Whitted absent
- E. Approval of Minutes: [JUNE 14, 2006](#)
APPROVED. 7-0-1; Ward/Smith
Rowling abstained - Whitted absent
- F. Public Hearing Consent Items:
1. [UP-06-10](#)
PROJECT: Bunch Walnuts Road Monopole
APPLICANT: Nextel Communications of the Mid-Atlantic, Inc.
AGENCY: General Dynamics, Inc
PROPOSAL: A conditional use permit to allow a 250' monopole communication tower on a 0.35 acre leased parcel; part of a 60 acre tract.
ZONE: A-1 Agriculture District
SIC CODE: 48
LOCATION: 3801 Bunch Walnuts Road
TAX MAP SECTION/PARCEL: portion of 1060000000580
BOROUGH: Pleasant Grove
(Continued from the June 14, 2006 Public Hearing)
- [CONTINUED](#) to the September 13, 2006 Public Hearing.** (8-0; Van Laethem/Moore – Whitted absent)
2. [CP-06-01](#)
An amendment to Appendix “G” of the 2026 Comprehensive Plan to provide for increased maximum densities in the Poindexter Corridor Strategic Development Plan Land Use Designation from thirty dwelling units per acre to forty-five dwelling units per acres, subject to an Urban Planned Unit Development zoning classification, a conditional use permit and specific eligibility criteria.

CONTINUED to the September 13, 2006 Public Hearing. (8-0; Van Laethem/Moore – Whitted absent)

3. **TA-Z-06-05**

An ordinance amending Appendix “A” of the Chesapeake City Code, entitled “Zoning,” section 6-2202(E) and (F) thereof, and adding section 6-2202(G) thereto, to require a conditional use permit for residential cluster developments in the Fentress Airfield Overlay District, subject to the level of service policy in the Comprehensive Plan and the compatibility tables for the Air Installation Compatible Use Zones (AICUZ).

APPROVED. (7-1; Moore/Ward – Peoples opposed - Whitted absent)

4. **SE-06-01**

PROJECT: Wendell Homes Special Exception

APPLICANT: Wendell Homes, LLC

AGENT: Coleen H. Wells, P.E.

PROPOSAL: A special exception to allow parking for a new structure to be located in the front yard in accordance with Article 12-605(3) of the Chesapeake Zoning Ordinance.

ZONE: B-2 General Business District (0.11 acres)

LOCATION: 1329 Perry Street

TAX MAP SECTION/PARCEL: 1330000002150

BOROUGH: South Norfolk

APPROVED with the following stipulation: (**Previous staff report**) (8-0; Van Laethem/Smith – Whitted absent)

- **As agreed upon by the applicant, the proposed structures shall be residential in appearance and shall be approved by the Planning Director or designee prior to final site plan approval.**

5. **UP-06-13**

PROJECT: Home Occupation, 1313 Pamlico Boulevard

APPLICANT: Alice V. Spelts

AGENCY: Chesapeake Land Use Enterprise

PROPOSAL: A conditional use permit to allow a one-chair beauty parlor as a home occupation.

ZONE: R-12s Single-family Residential District

SIC CODE: 723

LOCATION: 1313 Pamlico Boulevard

TAX MAP SECTION/PARCEL: 0491009000590

BOROUGH: Butts Road

APPROVED with the following stipulations: (8-0; Van Laethem/Smith – Whitted absent)

1. **The applicant/owner agrees that the use will be limited to a beauty parlor with only one chair.**
2. **The applicant/owner agrees that the hours of operation shall be limited to Monday through Saturday from 8:00 am to 7 pm.**
3. **The applicant/owner agrees that there will be no signage associated with the proposed use.**

6. **UP-06-14**

PROJECT: Hanbury/Battlefield Center

APPLICANT: Monarch Bank

AGENCY: Land Planning Solutions, L.C.

PROPOSAL: A conditional use permit to construct and operate a Monarch Bank building with a drive-thru facility and amplified speaker system on 1.05 acres.

ZONE: B-1 Neighborhood Business District

SIC CODE: 60

LOCATION: Northwest intersection of Hanbury Road and Battlefield Boulevard South

TAX MAP SECTION/PARCEL: 0602003000001, 0602003000002

BOROUGH: Pleasant Grove

APPROVED with the following stipulations: (7-0-1; Van Laethem/Moore – Rowling abstained – Whitted absent)

1. **The applicant/owner agrees to adhere to all proffers that were approved under the conditional zoning reclassification, R(C)-06-05, to ensure compliance and consistency with TCOD development criteria, landscaping, site layout, access improvements, and design/architectural features.**
2. **Dumpster screening/fencing shall be constructed of a material that is compatible with the exterior building material and its overall appearance as determined by the Planning Director or designee.**
3. **The applicant/owner agrees that final architectural elevation and building material details shall be submitted, reviewed, and approved by the Planning Department prior to final site plan approval to ensure substantial conformance to the appearance, character, and compatibility with the surrounding neighborhood and TCOD design standards.**

7. **UP-06-15**

PROJECT: 7-Eleven, Old Mill Road

APPLICANT: 7-Eleven, Inc.

AGENCY: LeClair Ryan, PC

PROPOSAL: A conditional use permit to allow a motor vehicle fuel supply facility in conjunction with a permitted convenience store on 1.15 acres.

ZONE: B-2 General Business District

SIC CODE: 554

LOCATION: 120 George Washington Highway North

TAX MAP SECTION/PARCEL: 0341003000101, 0341003000102,
0341003000111, 0341003000112, 0341003000120

BOROUGH: Deep Creek

APPROVED with the following stipulations: (8-0; Van Laethem/Smith – Whitted absent)

1. The applicant/owner agrees that no outdoor public telephones shall be permitted.
2. The applicant/owner agrees to take all action necessary to prohibit loitering as defined in Section 46-13 of the City Code.
3. The applicant/owner agrees to keep the property in a clean and well-maintained condition at all times.
4. The applicant/owner agrees that no loudspeakers shall be permitted on the subject site, with the exception of localized speakers at the individual gas pumps.
5. The applicant/owner agrees that no advertising shall be permitted on the proposed pump island canopy with the exception of a 3x3 foot identification sign on the north, south and east sides of the canopy.
6. The applicant/owner agrees that the architectural design of the building and gas pump canopy shall be in substantial conformity to the rendering stamp-dated June 29, 2006. The architectural plans shall be approved by the Planning Director or designee prior to final site plan approval.
7. The applicant/owner shall be responsible for designing and constructing the additional lane along the parcel's road frontage on George Washington Highway as shown on the preliminary site plan in accordance with Public Works requirements. All details of this work shall be shown on the final site plan and completed as determined by the Director of Public Works or designee prior to issuance of a certificate of occupancy.

8. The applicant/owner agrees to dedicate right-of-way as shown on the preliminary site plan. Note #10 on the preliminary site plan shall be revised on the final site plan to delete the word “no”.
9. The applicant/owner agrees that all HVAC equipment and refrigeration units for the building shall be adequately screened as determined by the Planning Director or designee prior to final site plan approval.
10. The applicant/owner agrees to vacate all interior property lines to make one development site prior to final site plan approval.

8. **UP-06-18**

PROJECT: Majestik Auto Spa

APPLICANT: Majestik Enterprises, Inc.

PROPOSAL: A conditional use permit to allow a full service car wash on a 1.0029 acre parcel.

ZONE: B-2 General Business

SIC CODE: 75

LOCATION: Mt. Pleasant Crossing Shopping Center, Parcel G (1464 Mt. Pleasant Road)

TAX MAP SECTION/PARCEL: portion of 0490000000321

BOROUGH: Butts Road

APPROVED with the following stipulations: (8-0; Van Laethem/Smith – Whitted absent)

1. The applicant/owner agrees that the proposed architectural design of the facility shall be substantially similar in appearance to that depicted on the architectural plans stamp-dated May 8, 2006 and color renderings date stamped June 23, 2006, as determined by the Planning Director or designee. The final architectural plans must comply with Proffer #5 of R(C)-03-21 and shall be subject to the approval of the Planning Director or designee. The applicant/owner further agrees that the approved final architectural plan shall be incorporated in the building plans that are submitted to the City for approval.
2. The applicant/owner agrees that all required landscaping shall be substantially similar as depicted on the landscape plan dated June 23, 2006 as determined by the Planning Director or designee.
3. The applicant/owner agrees that the following shall be prohibited:
 - a. Self-serve wash bays
 - b. Self-serve vacuum stations

- c. **Outdoor public telephones**
 - d. **Outdoor sound systems and speakers**
 4. **The applicant/owner shall take all action necessary to prohibit loitering.**
 5. **The applicant/owner shall keep the property in a clean and well-maintained condition at all times.**
 6. **No final certificate of occupancy shall be approved until the requirements of Proffer #1 of R(C)-03-21 is determined to be satisfied.**
9. **R(C)-06-13**
PROJECT: Lots 228 & 229 Atlantic Avenue
APPLICANT: Richard Pretlow
AGENCY: Hudson Wells Engineering LLC
PROPOSAL: A conditional rezoning reclassification of two 0.11 acre parcels from B-1 Neighborhood Business District to R-8 Residential District.
PROPOSED COMP LAND USE & DENSITY: Suburban Single-family with 1 unit per acre to something less than 6 units per acre
EXISTING COMP LAND USE & DENSITY: General Business/Commercial
LOCATION: 1427 Atlantic Avenue and adjacent parcel to the south
TAX MAP SECTION/PARCEL: 1340000005630, 1340000005631
BOROUGH: South Norfolk
- APPROVED with the following proffer:** (8-0; Van Laethem/Smith – Whitted absent)
- **The Applicant/Owner agrees to vacate the common property line, which separates Lot 228 Atlantic Avenue and Lot 229 (#1427) Atlantic Avenue before the approval of any building permit.**

G. Public Hearing Regular Items:

10. [S\(V\)-05-161](#)

PROJECT: Delmar Mobile Home Park Variance

APPLICANT: Delmar Limited Company, LLC

AGENCY: Basnight, Kinser, Telfeyan, Leftwich & Nuckolls, P.C.

PROPOSAL: A request for a variance pursuant to Section 70-86 of the Subdivision Ordinance for relief from the right-of-way dedication requirement of Section 70-95 of the City Code and the ditch and shoulder and curb and gutter requirements of Section 70-167(a) of the City Code in association with a site plan for the expansion of an existing mobile home park.

ZONE: R-10 Residential District

LOCATION: 1561 Campostella Road

TAX MAP SECTION/PARCEL: 0270000000560

PLANNING AREA: Rivercrest

(Continued from the April 12, 2006 Public Hearing)

WITHDRAWN. ([Previous staff report](#))

11. [UP-06-17](#)

PROJECT: Victory Nissan Used Auto

APPLICANT: Victory Nissan, Inc.

AGENCY: Pinnacle Group Engineering, Inc.

PROPOSAL: A conditional use permit to allow a pre-owned automobile sales facility on a .31 acre parcel.

ZONE: B-2 General Business District

SIC CODE: 552

LOCATION: 3428 S. Military Highway

TAX MAP SECTION/PARCEL: 0252011000180

BOROUGH: Deep Creek

WITHDRAWN. ([Previous staff report](#))

12. [R\(PUD\)-05-02](#)

PROJECT: Belharbour Station at SoNo

APPLICANT: Truxton Development, LLC

[Development Criteria](#)

AGENCY: Kimley-Horn and Associates, Inc.

PROPOSAL: A conventional zoning reclassification of approximately 23 acres from M-2 General Industrial District to PUD Planned Unit Development.

PROPOSED COMP LAND USE & DENSITY: General Business/Commercial; Office; High density multi-family with density not exceeding 24 units per acre

EXISTING COMP LAND USE & DENSITY: Water related industry

LOCATION: West of 120 Jefferson Street

TAX MAP SECTION/PARCEL: 1320000000020

BOROUGH: South Norfolk

APPROVED with the adoption of the Development Criteria dated July 12, 2006, the associated general land use plan and other documents referenced therein. (6-2; Weaver/Ward – Smith and Van Laethem opposed – Whitted absent) ([Previous Staff Report](#))

13. **UP-06-19**

PROJECT: Belharbour Station at SoNo

APPLICANT: Truxton Development, LLC

AGENCY: Kimley-Horn and Associates, Inc.

PROPOSAL: A conditional use permit to allow a residential density exceeding 30 dwelling units per acre in a proposed Urban PUD in the Poindexter Corridor.

ZONE: Current: M-2 General Industrial District; Proposed: Urban Planned Unit Development in R(PUD)-05-02

LOCATION: North side of Poindexter Street, east of the Elizabeth River

TAX MAP SECTION/PARCEL: 1320000000020

BOROUGH: South Norfolk

APPROVED with the following stipulations: 6-2; Weaver/Ward – Smith and Van Laethem opposed – Whitted absent) ([Previous Staff Report](#))

1. **The application shall be subject to the approval and requirements of R(PUD)-05-02.**
2. **The applicant/owner shall revise the final site plan to show a maximum of 693 residential units.**
3. **The applicant/owner shall revise Exhibit A – Master Development Plan to show a maximum of 693 residential units prior to final site plan approval.**

H. Director's Items: None

I. Unfinished and New Business:

- Motion to cancel the July 26, 2006 Public Hearing meeting.

APPROVED. (8 - 0; Van Laethem/Watson – Whitted absent)

J. Adjournment: 8:20 p.m.

The Chesapeake Zoning Ordinance, Chesapeake Comprehensive Plan, Chesapeake Land Use Plan, Chesapeake tax map book, plats, and maps of the aforementioned properties, documents and proposed text amendments, as described, are available for inspection in the office of the Department of Planning, second floor, in the City Hall building, Chesapeake Civic Center during regular municipal hours. The agenda is also available for viewing on the City's website, www.cityofchesapeake.net, with links to view the applications, proposed text amendments and the staff recommendations when available.

This meeting will be televised live on WCTV-48 and retelevised Wednesday, July 12, 2006 at 11:00 p.m. If the meeting concludes after 11:00 p.m. it will air as soon as technically possible after the conclusion of the live meeting. It will air again on the following Wednesdays, at 7:00 p.m., Thursdays at 1:00 p.m., and on Sunday at 9:00 a.m. until the next scheduled Planning Commission Meeting on August 9, 2006. All interested parties are invited to attend the public hearing.

Those members of the public interested in attending the public hearing should be advised that, for reasons the Planning Commission deems appropriate, certain items on the agenda may be heard out of order and that it should not be assumed that the order listed above will be exactly followed during the public hearing. Also, due to advertising deadlines, items that have been continued from previous Planning Commission meetings may not appear on this agenda. For further information, contact the Planning Department at 382-6176.