

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

**MARKED AGENDA**

*Chesapeake Planning Commission*

**PUBLIC HEARING – AUGUST 9, 2006  
CITY COUNCIL CHAMBER – 7:00 P.M.**

- A. Call to Order: Chairman Peoples
- B. Invocation: Commissioner Whitted
- C. Pledge of Allegiance: Commissioner Rowling
- D. Roll Call: All Commissioners present
- E. Approval of Minutes: [July 12, 2006](#) **APPROVED.** (8-0-1; Ward/Watson – Whitted abstained)
- F. Public Hearing Consent Items:
  - 1. [S\(V\)-06-55](#)  
**PROJECT:** Nassau Subdivision Variance  
**APPLICANT:** Mars Brothers V, LLC  
**AGENCY:** Hassell & Folkes, P.C.  
**PROPOSAL:** A request for a variance pursuant to Section 70-86D of the Subdivision Ordinance for relief from the sidewalk requirement for the sidewalk on the north side of Grand Isle Drive (proposed).  
**ZONE:** R-10s Residential District  
**LOCATION:** East of Rotunda Avenue north of Lake Forest  
**TAX MAP SECTION/PARCEL:** 0230000002330  
**BOROUGH:** Deep Creek  
  
[APPROVED.](#) (8-0-1; Smith/Whitted – Rowling abstained)
  - 2. [WH\(D\)-06-01](#)  
**PROJECT:** Outdoor Fireplace  
**APPLICANT:** Charles and Wendy Hackworth  
**PROPOSAL:** A request for a deviation from Section 7, B.1.I of the Development Criteria of the Warrington Hall Planned Unit Development to allow an outdoor fireplace within the rear yard setback.  
**LOCATION:** 907 Poquoson Circle  
**TAX MAP SECTION/PARCEL:** 0374004000220  
**BOROUGH:** Washington

**APPROVED.** (9-0; Whitted/Moore)

3. **UP-06-20**

**PROJECT:** Sprint Monopole – Fentress VEPCO

**APPLICANT:** SprintCom, Inc.

**AGENCY:** Wireless Network Development/for LCC International

**PROPOSAL:** A conditional use permit to allow a 150' monopole communication tower on an approximately 1 acre leased parcel that is part of a 46.23 acre VEPCO substation. The site is within the Fentress Airfield Overlay District. The applicant also requests approval of an access drive across residentially zoned property in accordance with section 3-301.B.1.b of the Zoning Ordinance.

**ZONE:** A-1 Agricultural District

**SIC CODE:** 48

**LOCATION:** 1038 Centerville Turnpike

**TAX MAP SECTION/PARCEL:** portion of 0610000000952, portion of 0618002000002

**BOROUGH:** Pleasant Grove

**APPROVED** with the following stipulations: (9-0; Whitted/Moore)

1. **The applicant/owner shall provide collocation opportunities for a minimum of two other wireless providers, regardless of the collocation company's ability to provide another tower site in exchange for the right to collocate on this tower. The collocation agreement shall be completed no more than six months following the written request for collocation.**
2. **The applicant/owner shall screen the leased area with landscaping in accordance with Section 13-606 of the Zoning Ordinance.**
3. **The applicant/owner shall require all collocators to secure administrative approval from the Planning Department prior to installing their equipment on the tower.**
4. **The applicant/owner shall comply with all applicable Federal Communications Commission and Federal Aviation Administration regulations. The applicant/owner will submit documentation of compliance with these regulations to the Inspections Department.**
5. **The applicant/owner shall install a Fire Department approved lock box for emergency access to the gated compound. The applicant/owner shall also ensure that the access drive to the tower compound remains free of obstructions to allow access for emergency vehicles at all times.**

4. [UP-06-22](#)  
**PROJECT:** HDTV Tower - Greenbrier  
**APPLICANT:** 920 Corporate, L.L.C.  
**PROPOSAL:** A conditional use permit to allow a 120 foot self-support lattice tower for an existing television station on a 3.27 acre parcel in Greenbrier.  
**ZONE:** PUD – Planned Unit Development  
**SIC CODE:** 48  
**LOCATION:** 920 Corporate Lane  
**TAX MAP SECTION/PARCEL:** 0373010000080  
**BOROUGH:** Washington

[APPROVED](#) with the following stipulations: (9-0; Whitted/Moore)

1. The applicant/owner shall comply with all applicable Federal Communications Commission and Federal Aviation Administration regulations. The applicant/owner will submit documentation of compliance with these regulations to the Inspections Department.
2. The applicant/owner shall install a Fire Department approved lock box for emergency access to the gated compound. The applicant/owner shall also ensure that the access drive to the tower compound remains free of obstructions to allow access for emergency vehicles at all times.

5. [R\(C\)-06-14](#)  
**PROJECT:** Fentress Crossings Office Park  
**APPLICANT:** Crossroad Properties, Inc.  
**AGENCY:** Horton & Dodd, P.C.  
**PROPOSAL:** A conditional zoning reclassification of a 0.54 acre parcel from A-1 Agricultural District to B-1 Neighborhood Business District for a proposed office building. Subject parcel is within the Fentress Airfield Overlay District.  
**PROPOSED COMP LAND USE & DENSITY:** General Business/Commercial  
**EXISTING COMP LAND USE & DENSITY:** Rural with one unit per 3 or more acres  
**LOCATION:** 1441 Fentress Road  
**TAX MAP SECTION/PARCEL:** 0610000000780  
**BOROUGH:** Pleasant Grove

[APPROVED](#) with the following proffers: (9-0; Whitted/Moore)

1. The Applicant/Owners agree that the uses of the subject property will be limited to SIC Industry Groups 591, 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.
2. The Applicant/Owner agrees to offer the existing house on the subject property to any party willing to accept the house for relocation off the subject property. The accepting party must bear

expenses associated with the relocation. This offer shall be binding until such time as the Applicant/Owner or Developer obtains final site development plan approval and a permit to demolish the structure or 180 days from the date that City Council approves this rezoning, whichever occurs first.

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. Where the architectural rendering indicates siding as the exterior material to be used, hardy plank siding or the equivalent will be used. 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 this development shall be screened from Fentress Road with a streetscape buffer including 30% more plantings than required by Chesapeake's Landscape Ordinance. The plans shall be approved by Chesapeake's Landscape Architect prior to final approval of a site development plan for this parcel. The Applicant/Owner agrees to install and maintain the enhanced landscaping in accordance with the zoning ordinance.
6. [R\(C\)-06-15](#)  
**PROJECT:** Western Branch Business Center  
**APPLICANT:** Wirth Commercial Group, LLC  
**AGENCY:** Kimley-Horn and Associates, Inc.  
**PROPOSAL:** A conditional zoning reclassification of an 11.34 acre parcel zoned A-1 Agricultural District and an 11.58 acre parcel zoned A-1 Agricultural District and R-15s Single-family Residential District to O&I Office and Institutional District.  
**PROPOSED COMP LAND USE & DENSITY:** Office  
**EXISTING COMP LAND USE & DENSITY:** Suburban Single-family with 1 unit per acre to something less than 4 units per acre  
**LOCATION:** 4956 Portsmouth Boulevard  
**TAX MAP SECTION/PARCEL:** 0150000001910, 0150000001911  
**BOROUGH:** Western Branch

[CONTINUED](#) to the September 13, 2006 Public Hearing. (9-0; Whitted/Moore)

7. [R\(C\)-06-17](#)

**PROJECT:** 401 Warrick Road Rezoning

**APPLICANT:** Milton E. Ackerman, Jr.

**PROPOSAL:** A conditional zoning reclassification of a 1.00± acre parcel from RE-1 Residential Estate District to R-15s Single-family Residential District.

**PROPOSED COMP LAND USE & DENSITY:** Suburban single-family with something less than 3 units per acre.

**EXISTING COMP LAND USE & DENSITY:** Suburban single-family with one unit per acre to something less than 4 units per acre.

**LOCATION:** 401 Warrick Road

**TAX MAP SECTION/PARCEL:** 0590000001964

**BOROUGH:** Pleasant Grove

**APPROVED** with the following proffers: (9-0; Whitted/Moore)

1. The applicant/owner agrees to make a cash contribution to the City of Chesapeake for the expansion of classroom space in impacted public schools, including but not limited to, land acquisition for the expansion of public school facilities and construction of new schools and additions. The amount of the voluntary cash contribution shall be \$14,229.37. The applicant/owner agrees to pay the proffered cash contribution before the issuance of any building permit for a residential dwelling upon the subject property. The applicant/owner acknowledges and agrees that the cash contribution may be deposited into the City of Chesapeake's "lock box," also known as the General Fund Reserve for School Capital Construction Costs and shall be subject to City Council approval prior to appropriation. In the event the cash proffer is not expended for land acquisition or classroom expansion within time constraints imposed by state law, the applicant/owner agrees that the cash proffer may be used for capital improvement projects for major repair, maintenance, and renovation of public schools in the same school planning area as the rezoned property.
2. The applicant/owner agrees to make a cash contribution to the City of Chesapeake for capital improvements to public arterial and collector streets within the traffic shed impacted by the rezoning, including but not limited to, right-of-way acquisition, road design, road construction, project management, widening, paving, striping, adding turn lanes, adding acceleration or deceleration lanes, installing or adjusting traffic control devices, installing curb and gutter, making ditch and shoulder improvements, and constructing or improving roadside drainage facilities. The amount of the voluntary cash contribution shall be \$3,179.00. The cash contribution shall be in addition to any required or voluntary road improvements. The applicant/owner agrees to pay the proffered

**cash contribution before the issuance of any building permit for a residential dwelling upon the subject property.**

- 3. The applicant/owner 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 appurtenances; and acquisition of capital assets necessary to the operation of public libraries. The amount of the voluntary cash contribution shall be \$949.03. The applicant/owner agrees to pay the proffered cash contribution before the issuance of any building permit for a residential dwelling upon the subject property.**
  - 4. The applicant/owner agrees 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 appurtenances; 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 \$642.34. The applicant/owner agrees to pay the proffered cash contribution before the issuance of any building permit for a residential dwelling upon the subject property.**
  - 5. The applicant/owner agrees and acknowledges that that both properties must conform to all City of Chesapeake setback regulations for R-15s Single-family Residential District properties once rezoned. The shed/barn currently situated on the proposed property line for the proposed two lots will be relocated or torn down before the issuance of any building permit for a residential dwelling upon the subject property.**
- 8. [R\(C\)-06-18](#)**  
**PROJECT:** Lot 7A, Tatem Farm  
**APPLICANT:** Christopher L. Myatt  
**AGENCY:** Engineering Services, Inc.  
**PROPOSAL:** A conventional zoning reclassification of 2.42 acres from R-15s Single-family Residential District and 8.04 acres from A-1 Agricultural District to A-1 Agricultural District.  
**PROPOSED COMP LAND USE & DENSITY:** Rural with one unit per 3 or more acres  
**EXISTING COMP LAND USE & DENSITY:** Suburban Single-family with 1 unit per acre to something less than 4 units per acre  
**[LOCATION:](#)** 2506 Seven Eleven Road  
**[TAX MAP SECTION/PARCEL:](#)** 0810000000100  
**BOROUGH:** Pleasant Grove

**APPROVED** with the following proffer: (9-0; Whitted/Moore)

- The applicant/owner agrees that this rezoning is conditioned on obtaining approval from the Chesapeake Health Department for a septic sewerage disposal system or systems to serve the subject property within three (3) years following the effective date of this rezoning in order to comply with the Level of Service Policy for sewer capacity. In the event that the Zoning Administrator finds that the applicant/owner fails to obtain such approval within the said three-year period, the applicant/owner agrees that the rezoning may be placed on the City Council agenda by the Zoning Administrator for reconsideration and possible revocation on grounds of inadequate sewage capacity.

G. Public Hearing Regular Items:

9. **R(C)-06-01**

**PROJECT:** Hanbury Manor

**APPLICANT:** Abbey Lane, LLC

**AGENCY:** WPL

**PROPOSAL:** A conditional zoning reclassification of 27.34 acres from A-1 Agriculture District to R-12s Single-family Residential District.

**PROPOSED COMP LAND USE & DENSITY:** Suburban single-family with 1 unit per acre to something less than 4 units per acre

**EXISTING COMP LAND USE & DENSITY:** Suburban single-family with 1 unit per acre to something less than 4 units per acre

**LOCATION:** 161, 163, 167, and 169 West Hanbury Road, approximately 451 feet east of Kingsbury Drive

**TAX MAP SECTION/PARCEL:** 0600000001091, 0600000001100, 0600000001110, 0600000001120, 0600000001121, 0600000001122

**BOROUGH:** Pleasant Grove

*(Continued from the May 10, 2006 Public Hearing)*

**DENIED.** (9-0; Van Laethem/Whitted)

H. Director's Items: None

I. Unfinished and New Business:

- Motion to cancel the August 23, 2006 Public Hearing meeting.

**APPROVED.** (9-0; Whitted/Ward)

J. Adjournment: 7:40 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](http://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, August 9, 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 September 13, 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.