

Department of Planning  
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**MARKED AGENDA**

*Chesapeake Planning Commission*

**PUBLIC HEARING – NOVEMBER 8, 2006  
CITY COUNCIL CHAMBER – 7:00 P.M.**

- A. Call to Order: Chairman Peoples
- B. Invocation: Chairman Peoples
- C. Pledge of Allegiance: Commissioner Whitted
- D. Roll Call: Commissioner Ward absent
- E. Approval of Minutes: **OCTOBER 11, 2006**  
**APPROVED** (7-0-1; Rowling/Van Laethem –  
Smith abstained; Ward 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 September 13, 2006 Public Hearing)  
  
**CONTINUED to the December 13, 2006 Public Hearing.** (8-0; Rowling/Whitted – Ward absent)

2. [UP-06-21](#)  
**PROJECT:** Marx Carts  
**APPLICANT:** Mark & Connie Thomas  
**AGENCY:** Brown, Denslow, Black & Billups, P.C.  
**PROPOSAL:** A conditional use permit to allow the customization and on-line sale of golf carts in an existing residence with a detached garage/workshop. This would be a level II home occupation in accordance with Section 14-302 of the Zoning Ordinance.  
**ZONE:** A-1 Agricultural District  
**SIC CODE:** 5941  
**LOCATION:** 2129 West Road  
**TAX MAP SECTION/PARCEL:** 0820000001060  
**BOROUGH:** Pleasant Grove  
*(Continued from the October 11, 2006 Public Hearing)*  
  
**CONTINUED to the December 13, 2006 Public Hearing.** (8-0; Rowling/Whitted – Ward absent)
3. [TA-Z-06-06](#)  
An ordinance amending Appendix “A” of the Chesapeake City Code, entitled “Zoning”, Section 13-2004 to permit assembly uses to operate in public and private schools as permitted uses subject to the approval of the building code official for compliance with the Virginia Uniform Statewide Building Code.  
  
**CONTINUED to the December 13, 2006, Public Hearing.** (8-0; Rowling/Whitted – Ward absent)
4. [R\(C\)-06-25](#)  
**PROJECT:** Chesapeake Gateway  
**APPLICANT:** ROC Industrial Associates, LLC  
**AGENCY:** Site Improvement Associates, Inc.  
**PROPOSAL:** A conditional zoning reclassification of 10.034 acres from B-3 Highway Business District to R-MF-2 Multi-family Residential District to allow 220 condominium units.  
**PROPOSED COMP LAND USE & DENSITY:** High Density multi-family with density not exceeding 24 units per acre  
**EXISTING COMP LAND USE & DENSITY:** General Business/Commercial  
**LOCATION:** Southeast corner of Tintern Street and I-64  
**TAX MAP SECTION/PARCEL:** 0270000000777, 0270000000778  
**BOROUGH:** Washington  
  
**CONTINUED to the December 13, 2006 Public Hearing.** (8-0; Rowling/Whitted – Ward absent)

5. [UP-06-39](#)  
**PROJECT:** Chesapeake Gateway  
**APPLICANT:** ROC Industrial Associates, LLC  
**AGENCY:** Site Improvement Associates, LLC  
**PROPOSAL:** A conditional use permit to allow multi-family residential buildings in excess of 35 feet. The application is contingent on approval of R(C)-06-25.  
**ZONE:** (proposed) R-MF-2, Multifamily Residential District (existing) B-3, Highway Business District  
**LOCATION:** Southeast corner of Tintern Street and I-64  
**TAX MAP SECTION/PARCEL:** 0270000000777, 0270000000778  
**BOROUGH:** Washington

**CONTINUED to the December 13, 2006 Public Hearing.** (8-0; Rowling/Whitted – Ward absent)

6. [R\(C\)-06-22](#)  
**PROJECT:** South Creek Centre  
**APPLICANT:** Henry and Pamela Southall  
**AGENCY:** Kaufman & Canoles  
**PROPOSAL:** A conditional zoning reclassification of two parcels totaling 4.72 acres from R-15s Single-family Residential District to B-2 General 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:** 2420 and 2412 Gum Road  
**TAX MAP SECTION/PARCEL:** 0150000001321, 0150000001328  
**BOROUGH:** Western Branch  
*(Continued from the October 11, 2006 Public Hearing)*  
***(This item has been approved for concurrent advertisement and will be heard by City Council on November 21, 2006.)***

Planning Commission recommends that R(C)-06-22 be **APPROVED** with the following proffers: (8-0; Van Laethem/Moore – Ward absent)

1. The applicant/owner agrees to dedicate its share of the necessary right-of-way, not to exceed twenty (20) feet, along Gum Road to provide for the widening of the right-of-way, which shall be reflected on the final site plan. Such dedication is to be recorded prior to the approval of the final site plan for the development of the subject property.
2. The applicant/owner agrees to perform the following road improvements in accordance with the Subdivision Ordinance and PFM:

- a. **A westbound right turn lane for Portsmouth Boulevard to Gum Road.**
- b. **An extension, as reasonably determined by the Director of Public Works or designee, to the existing eastbound left turn lane from Portsmouth Boulevard to Gum Road.**
- c. **A southbound right turn lane for Gum Road to Portsmouth Boulevard.**

**These improvements shall be substantially completed, as reasonably determined by the Director of Public Works or designee before the issuance of any final certificate of occupancy within the rezoned property. The applicant/owner acknowledges that these improvements are also stipulated to in UP-06-32. The applicant/owner will work with the developer of UP-06-32 to coordinate these improvements and execute an agreement to share the expenses of the design, construction and dedication of these road improvements.**

3. **The applicant/owner agrees to develop the property such that all buildings and structures are compatible with one another in terms of design, roofline treatments, exterior materials and architectural details, as approved by the Planning Director or designee.**
7. [TA-Z-06-07](#)  
An ordinance amending Appendix "A" of the Chesapeake City Code, entitled "Zoning", Sections 7-302.A.2, 7-402.A.2. and 7-502.A.2 to eliminate the requirement for minimum lot frontage for lots zoned B-1, B-2 and B-5.

**Planning Commission recommends that TA-Z-06-07 version dated October 12, 2006 be [APPROVED](#). (8-0; Van Laethem/Moore – Ward absent)**

8. [CIB-06-02](#)  
**PROJECT:** Southern Chesapeake Police Precinct Building  
**APPLICANT:** Chesapeake Police Department  
**PROPOSAL:** Approval of a new building for the Southern Chesapeake Police Precinct as being in substantial conformance with the adopted Comprehensive Plan as required by Section 15.2-2232 et seq. of the Code of Virginia.  
**LOCATION:** 3444 Battlefield Boulevard South, located within the proposed Southern Chesapeake Park  
**[TAX MAP SECTION/PARCEL](#):** 0970000000940  
**[APPROVED](#).** (8-0; Van Laethem/Moore – Ward absent)

9. [CP-06-02](#)

A. resolution to amend the Chesapeake Comprehensive Plan to include the final report of the Affordable Housing Task Force as Appendix "L" and to add language to the policies relating to the implementation of educational goals.

**Planning Commission recommends that CP-06-02 be [APPROVED](#) with the following additions:** (8-0; Moore/Whitted – Ward absent)

1. That a citizen advisory group be appointed to research and make recommendations on public funding to assist in efforts to accommodate affordable housing initiatives.
2. That a citizen advisory group be appointed to research and make recommendations on establishing an independent city department to address affordable housing issues.

10. [UP-97-02 \(Rev 9/06\)](#)

**PROJECT:** Priority Toyota

**APPLICANT:** Ellmer Properties Greenbrier, LLC

**AGENCY:** Kimley-Horn and Associates, Inc.

**PROPOSAL:** A conditional use permit to replace an existing automobile dealership on 13.36 acres.

**ZONE:** PUD-Greenbrier

**SIC CODE:** 551 & 552

**[LOCATION:](#)** 1800 Greenbrier Parkway

**[TAX MAP SECTION/PARCEL:](#)** 0280000000030

**BOROUGH:** Washington

**Planning Commission recommends that UP-97-02 (Rev 9/06) be [APPROVED](#) with the following stipulations:** (8-0; Van Laethem/Moore – Ward absent)

1. The owner/applicant shall bring all signage into compliance with the Zoning Ordinance prior to the issuance of any certificate of occupancy.
2. The owner/applicant shall bring all landscaping into compliance with the Chesapeake Landscape Ordinance prior to the issuance of any certificate of occupancy.
3. The applicant/owner agrees to provide a right-turn taper along Greenbrier Parkway near the intersection of Military Highway in accordance with Public Works requirements as determined by the Public Works Director or designee prior to the issuance of any certificate of occupancy.

4. **The design of the building shall be in substantial conformance with the renderings dated October 2, 2006, as determined by the Planning Director or designee.**

11. **SP-06-08**

**PROJECT:** Janelle's

**APPLICANT:** Collins & Zina Rawlins

**PROPOSAL:** A request for a cooperative parking agreement in accordance with Section 19-405 of the Chesapeake Zoning Ordinance. The request is in conjunction with a preliminary site plan for a dance hall.

**ZONE:** B-4 Shopping Center District

**LOCATION:** 115 Kempsville Road, Unit 2

**TAX MAP SECTION/PARCEL:** 0481014000020

**BOROUGH:** Washington

**APPROVED** with the following stipulations: (8-0; Van Laethem/Moore – Ward absent) **STAFF REPORT UPDATE**

1. **The owner/applicant shall take all actions necessary to prohibit loitering.**
2. **The use shall cease operation should either property owner provide written documentation to Neighborhood Services withdrawing from the cooperative parking agreement as determined by the Zoning Administrator or designee.**

12. **UP-06-37**

**PROJECT:** Java Jazz

**APPLICANT:** Deanna Gilchrist

**PROPOSAL:** A conditional use permit to sell alcoholic beverages for on site consumption in conjunction with a permitted eat in restaurant located adjacent to residential property in accordance with Section 7-602 of the Chesapeake Zoning Ordinance.

**ZONE:** B-1 Neighborhood Business District

**SIC CODE:** 58

**LOCATION:** 1400 Kempsville Road

**TAX MAP SECTION/PARCEL:** 0380000001500

**BOROUGH:** Washington

**Planning Commission recommends that UP-06-37 be APPROVED.** (8-0; Van Laethem/Moore – Ward absent)

13. [UP-06-43](#)

**PROJECT:** New Covenant Fellowship

**APPLICANT:** New Covenant Fellowship

**AGENCY:** Engineering Services, Inc.

**PROPOSAL:** A conditional use permit to construct and operate a church facility on 0.553 acres.

**ZONE:** B-2 General Business District & R-10s Single-family Residential District

**SIC CODE:** 8661

**LOCATION:** 3044 South Military Highway and 845 Oklahoma Drive

**TAX MAP SECTION/PARCEL:** 0254012000280, 0254012000531

**BOROUGH:** Deep Creek

Planning Commission recommends that **UP-06-43** be [APPROVED](#) with the following stipulations: (8-0; Moore/Whitted – Ward absent)

[STAFF REPORT UPDATE](#)

1. The applicant/owner(s) agree to remove parking spaces 34-38 from the site plan dated October 24, 2006. This shall be reflected on the preliminary site plan.
2. The applicant/owner(s) shall vacate the existing property lines prior to site plan approval.
3. The applicant/owner(s) shall show the required handicap parking on the final site plan.
4. The applicant/owner(s) shall show to the required loading space on the final site plan unless modified or waived by the Zoning Administrator or designee.
5. The applicant/owner(s) shall provide 20% additional plant material in the landscape buffer along Oklahoma Drive prior to site plan approval as determined by the City Arborist.

14. [S\(V\)-06-146](#)

**PROJECT:** 712 Parker Road Curb and Gutter Waiver

**APPLICANT:** Karen Yates

**PROPOSAL:** A waiver from the curb and gutter requirement of Section 70-167(a) of the City Code pursuant to Section 70-86 of the City Code in association with a proposed 2 lot subdivision of property.

**ZONE:** R-15s Single-family Residential District

**LOCATION:** 712 Parker Road

**TAX MAP SECTION/PARCEL:** 0590000000840

**BOROUGH:** Pleasant Grove

[APPROVED](#) with the following stipulations: (8-0; Van Laethem/Moore – Ward absent)

1. **The applicant/owner shall provide ditch and shoulder improvements along the subject property's frontage on Parker Road in accordance with the requirements of the Director of Public Works or designee; such improvements shall be reflected on the final subdivision plan.**
2. **A paved driveway shall be installed for 712 Parker Road in accordance with the requirements of the Director of Public Works or designee; such improvement shall be reflected on the final subdivision plan.**

G. Public Hearing Regular Items:

15. [\*\*R\(C\)-06-19\*\*](#)

**PROJECT:** Etheridge Square

**APPLICANT:** Emerald Lake Estates 1, Inc.

**AGENCY:** Hassell & Folkes, P.C.

**PROPOSAL:** A conditional zoning reclassification of 22.4 acres from A-1 Agriculture District to O&I Office & Institutional District (11.1 ac) & R-MF-1 Multi-family District (11.3 ac) within a 26.3 acre parcel.

**PROPOSED COMP LAND USE & DENSITY:** Low Density multi-family with density not exceeding 16 units per acre

**EXISTING COMP LAND USE & DENSITY:** General Business/Commercial

**LOCATION:** Southwest corner of the intersection of Centerville Turnpike & Etheridge Manor Boulevard

**TAX MAP SECTION/PARCEL:** portion of 0610000000991

**BOROUGH:** Pleasant Grove

**CONTINUED to the December 13, 2006 Planning Commission Public Hearing.** (7-0-1; Smith/Whitted – Rowling abstained; Ward absent)

**STAFF REPORT**

16. [\*\*UP-06-24\*\*](#)

**PROJECT:** Etheridge Square, Group Care Facility

**APPLICANT:** Emerald Lake Estates 1, Inc.

**AGENCY:** Hassell & Folkes, P.C.

**PROPOSAL:** A conditional use permit for a group care facility on an 11.1 acre site within a 26.3 acre parcel.

**ZONE:** A-1 Agriculture District (Proposed: O&I Office & Institutional District & R-MF-1 Multi-family District in R(C)-06-19)

**SIC CODE:** 805

**LOCATION:** Southwest corner of the intersection of Centerville Turnpike South and Etheridge Manor Boulevard

**TAX MAP SECTION/PARCEL:** portion of 0610000000991

**BOROUGH:** Pleasant Grove

**CONTINUEDto the December 13, 2006 Planning Commission Public Hearing.** (7-0-1; Smith/Whitted – Rowling abstained; Ward absent)  
**STAFF REPORT**

H. Director's Items: None

I. Unfinished and New Business:

- Motion to cancel the November 22, 2006 Public Hearing meeting.

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

J. Adjournment: 7:52 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, November 8, 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 December 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.