

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

MARKED AGENDA

Chesapeake Planning Commission

**PUBLIC HEARING – SEPTEMBER 12, 2007
CITY COUNCIL CHAMBER – 7:00 P.M.**

- A. Call to Order: Chairman Smith
- B. Invocation: Reverend William Hoffman
- C. Pledge of Allegiance: Commissioner Weaver
- D. Roll Call: All Commissioners present
- E. Approval of Minutes: **AUGUST 8, 2007 APPROVED.**
(7-0-I; Ward/Wilfore – Peoples abstained)
- F. Public Hearing Items:
 - 1. **R-07-09**
PROJECT: Meadow Landing South
APPLICANT: Chesapeake Redevelopment & Housing Authority
AGENCY: DJG, Inc.
PROPOSAL: A conventional zoning reclassification of 3.557 acres from R-MF-1, Multi-family Residential District to R-TH-1, Townhouse Residential District for 18 residential duplexes (36 units).
PROPOSED COMP LAND USE & DENSITY: Townhouse residential development 10 units per acre.
EXISTING COMP LAND USE & DENSITY: High density residential not to exceed 16 units per acre.
LOCATION: 3003 Fireside Road
TAX MAP SECTION/PARCEL: Portion of 1360000000100
BOROUGH: South Norfolk
(Continued from the July 11, 2007 Public Hearing)

CONTINUED to the November 14, 2007 Public Hearing. (8-0; Rowland/Ward)

2. **R(C)-07-19**
PROJECT: Yadkin Station
APPLICANT: LORI, Inc.
AGENCY: Golden Heritage Homes, LLC
PROPOSAL: A conditional zoning reclassification of 10.369 acres from R-15s, Residential District to O&I, Office and Institutional District for the purpose of constructing group housing for the elderly.
PROPOSED COMP LAND USE & DENSITY: Medium Density Residential, 5 to 16 units per acre
EXISTING COMP LAND USE & DENSITY: Low Density Residential, less than 4 units per acre
LOCATION: 3343, 3345 and 3353 Galberry Rd.
TAX MAP SECTION/PARCEL: 0330000001720, 0330000001740, 0330000001750, 0330000001760
BOROUGH: Deep Creek
(Continued from the August 8, 2007 Public Hearing)

CONTINUED to the October 10, 2007 Public Hearing. (8-0; Rowland/Ward)

3. **UP-07-21**
PROJECT: Yadkin Station
APPLICANT: LORI, Inc.
AGENCY: Golden Heritage Homes, LLC
PROPOSAL: A conditional use permit to allow group housing for the elderly consisting of 57 condominium units on 10.369 acres.
ZONE: Existing: R-15s, Residential District. Proposed: O&I, Office and Institutional District in R(C)-07-19.
SIC CODE: 805
LOCATION: 3343, 3345 and 3353 Galberry Rd.
TAX MAP SECTION/PARCEL: 0330000001720, 0330000001740, 0330000001750, 0330000001760
BOROUGH: Deep Creek
(Continued from the August 8, 2007 Public Hearing)

CONTINUED to the October 10, 2007 Public Hearing. (8-0; Rowland/Ward)

4. **UP-07-30**
PROJECT: Brookside Office Building
APPLICANT: Great Bridge Boulevard Associates
AGENCY: Engineering Services, Inc.
PROPOSAL: A conditional use permit to exceed the height limitation of a proposed 30,000 square foot building (from 35 feet to 47 feet) by 12 feet.
ZONE: Greenbrier PUD, zone 5b
SIC CODE: 89
LOCATION: 1120 Volvo Parkway
TAX MAP SECTION/PARCEL: 0280000001020
BOROUGH: Washington

CONTINUED to the October 10, 2007 Public Hearing. (8-0; Rowland/Ward)

5. **R(C)-07-18**
PROJECT: Chesapeake Crossroads
APPLICANT: Associates 101, LLC
AGENCY: Engineering Services, Inc.
PROPOSAL: A conditional zoning reclassification of 17.59 acres from B-3, Highway Business District (7.828 acres) and R-8s, Residential District (9.762 acres) to R-MF-1, Multi-family Residential District to allow 134 condominium units.
PROPOSED COMP LAND USE & DENSITY: Medium Density Residential, 7.9 units per acre
EXISTING COMP LAND USE & DENSITY: High Density Mixed Use and Medium Density Residential, 5 to 16 units per acre
LOCATION: South side of S. Military Highway approximately 1100 feet west of Battlefield Boulevard
TAX MAP SECTION/PARCEL: 0270000000570
BOROUGH: Washington

(Continued from the August 8, 2007 Public Hearing)

Planning Commission recommends that R(C)-07-18 be **APPROVED** with the following proffers: (8-0; Rowland/Peoples)

1. The applicant/owner agrees to construct and dedicate to the City the necessary right-of-way for the two entrances and turn lanes. These improvements shall be in accordance with the requirements of the Director of Public Works or designee and shall be completed and dedicated as determined by the Director of Public Works or designee before any certificate of occupancy is issued on the property subject to this rezoning. The following improvements to be made in the locations generally shown on the rezoning exhibit layout stamped August 31, 2007 are as follows:
 - a. a right in/right out entrance for the western most entrance,

documents that will run with the land. The disclosure shall read as follows:

The subject property (TMN 027000000570) was historically used as a borrow pit that was filled with inert construction demolition debris (CDD) in the 1940s. In connection with the development of the property, in March of 2007, monitoring wells were installed on the property and methane gas was detected at concentrations above the lower explosive limit (5%). In response, a Methane Mitigation Plan [has been][will be] reviewed and approved by the City of Chesapeake to address and lessen any potential risks associated with methane gas accumulation under or within structures, and the institutional controls recommended in the Methane Mitigation Plan and approved by the Department of Neighborhood Preservation for the City of Chesapeake [have been][will be] incorporated into each building constructed on the property prior to the issuance of a certificate of occupancy. Any questions regarding the historic CDD activities and soil, groundwater, and surface water quality sampling and analytical results can be found within ECS Mid-Atlantic, LLC's May 11, 2007 Phase I Environmental Site Assessment (ESA) and August 16, 2007 Phase II ESA.

8. The applicant and the owner shall be fully responsible for ensuring that this language is included in the instruments described above and by acceptance of subdivision plan approval with this stipulation, the applicant and the owner acknowledge that the City is under no duty to inspect or review contracts, deeds, restrictive covenants, and homeowner association documents. It is further acknowledged and agreed by the applicant and owner that the duty of ensuring compliance appropriately lies with the parties responsible for the development, construction and marketing of the subdivision, e.g., owners, subdivider, developers, builders, realtors and sellers.
9. Upon obtaining a Methane Mitigation Plan required by proffer #5 the applicant/owner agrees to incorporate the findings and other information into the disclosure as approved by the Director of Public Works or designee and the City Attorney's Office.

6. **UP-07-27**
PROJECT: Bedford Street Offices
APPLICANT: Banks & Salamon
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
(Continued from the August 8, 2007 Public Hearing)

CONTINUED to the October 10, 2007 Public Hearing. (8-0; Rowland/Ward)

7. **ST.C-07-05**
PROJECT: Forrest Hills Street Closures
APPLICANT: Taylor Brothers Builders
AGENCY: Hoggard/Eure Associates, PC
PROPOSAL: Street closure requests for portions of excess right-of-way in the cul-de-sacs for Eagle Hill Drive (861 square feet), Copperfield Drive (1,036 square feet), and Hydenwood Crescent (1,448 square feet).
ZONE: R-15s, Single-family Residential
LOCATION: Northern terminus of Eagle Hill Drive and Hydenwood Crescent, and eastern terminus of Copperfield Drive
BOROUGH: Western Branch

Planning Commission recommends that ST.C-07-05 be APPROVED with the following stipulation: (8-0; Whitted/Ward)

- **All City utility improvements and/or relocations shall be in accordance with the departmental policies and the City of Chesapeake's Public Facilities Manual (PFM) and shall be completed by the applicant prior to any Certificates of Occupancy for any of the lots associated with S-07-54.**

8. **GB(D)-07-01**

PROJECT: Anchor Scaffolding

APPLICANT: Anchor Scaffolding & Ladder Co.

AGENCY: Engineering Services, Inc.

PROPOSAL: Deviations from the Greenbrier PUD, Zone 4, to permit an outside storage area between a building and the street and to permit a privacy wall within the required setback area.

ZONE: Greenbrier PUD zone 4

LOCATION: 825 Principal Lane

TAX MAP SECTION/PARCEL: 0373002000850

BOROUGH: Washington

Planning Commission recommends that GB(D)-07-01 be APPROVED with the following stipulations: (8-0; Whitted/Ward)

1. **The applicant/owner shall not store or place combustible materials within the area approved for outside storage.**
2. **The applicant/owner shall provide an exterior access to the storage area with a lock box for emergency access which is acceptable to the Fire Department.**
3. **The applicant/owner shall install a fire lane along Principal Lane as approved by the Fire Department before approval of a certificate of occupancy.**
4. **The applicant/owner agrees to replace the 8 existing trees that will be removed after approval of this deviation with 8 large canopy trees as approved by the City Arborist.**
5. **The applicant/owner shall submit a landscaping plan showing the location of the required 8 canopy trees and the landscaping around the entire wall perimeter to be approved by the Department of Planning and the City Arborist before final site plan approval.**
6. **The applicant/owner agrees to install the privacy wall in accordance with the Preliminary Site Plan for Anchor Scaffolding Expansion, dated August 30, 2007.**

9. [UP-07-17](#)

PROJECT: Alexander Lane Cingular Monopole

APPLICANT: Universal Wireless

AGENCY: C. E. Forehand

PROPOSAL: A conditional use permit to allow a 175 foot monopole communications tower on a 10,000 square foot leased parcel, part of 11.972 acres. The applicant also requests an alternative parking surface in accordance with section 19-406.c.1 of the zoning ordinance.

ZONED: M-1, Light Industrial

SIC CODE: 48

LOCATION: 1146 Alexander Lane

TAX MAP SECTION/PARCEL: 0470000000220

BOROUGH: Pleasant Grove

Planning Commission recommends that UP-07-17 be **APPROVED** with an alternative parking surface and with the following stipulations: (8-0; Whitted/Ward)

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 Neighborhood Services 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.
6. The applicant shall construct a city standard commercial entrance on Alexander Lane in accordance with Public Works requirements. Said entrance shall be reflected on the final construction plan.

10. [UP-07-28](#)

PROJECT: Hickory Communications Site

APPLICANT: Universal Wireless, LLC

AGENCY: C. E. Forehand

PROPOSAL: A conditional use permit to allow a 199 foot monopole communication tower on a leased parcel that is a portion of a 100+ acre parcel. 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: 48

LOCATION: 1541 Head of River Road

TAX MAP SECTION/PARCEL: 0990000000162

BOROUGH: Butts Road

Planning Commission recommends that UP-07-28 be [APPROVED](#) with the alternative parking surface and with the following stipulations: (7-0-1; Rowland/Wilfore, Peoples abstained)

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. Additionally, a continuous evergreen hedge tall enough to screen the compound from the view from between the silos shall be installed within 30 days of issuance of a building permit. Such additional landscaping shall be subject to the approval of the City Arborist.
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 Neighborhood Services 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.

11. [UP-07-32](#)
PROJECT: Earth Station Antenna for A²
APPLICANT: FP 1408 Stephanie Way, LLC
PROPOSAL: A conditional use permit to allow up to a 29 foot Earth Station Antenna behind an existing building.
ZONE: B-2, General Business District
SIC CODE: 48
LOCATION: 1408 Stephanie Way
TAX MAP SECTION/PARCEL: 0280000000705
BOROUGH: Washington

Planning Commission recommends that UP-07-32 be [APPROVED](#) with the following stipulations: (8-0; Whitted/Ward)

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 Neighborhood Services Department.**
2. **The applicant/owner agrees to install additional evergreen landscaping in the locations shown on the preliminary site plan stamp dated August 17, 2007, to achieve a continuous visual buffer from both the office building to the west and Stephanie Way. Such landscape materials shall be approved by the City Arborist and installed within 30 days of issuance of a building permit.**

12. [TA-Z-07-01](#)
An ordinance amending Appendix "A" of the Chesapeake City Code, entitled "Zoning," Sections 3-202, 3-403, 5-502.c.2 and 3, 5-600, 5-800, 6-200, 7-502.b, 7-601, 7-602, 11-902, 11-1302, 12-600.b, 14-703 and adding 4-229, adding 5-900.d, adding 7-510 through 7-513, adding 7-602.b, and adding 14-705.k to adopt the urban mixed use zoning district and applicable development standards, to provide for certain signs in the urban mixed use zoning district, to establish a minimum acreage for new residential and urban planned unit developments, to reduce required parking for the R-MF-1 and R-MF-2 zoning districts (multi-family) to two spaces per unit, to modify development standards in the South Norfolk Business Overlay District relating to setbacks and sign placement.

(Continued from the May 9, 2007 Public Hearing)

Planning Commission recommends that TA-Z-07-01, version dated August 27, 2007, be [APPROVED](#). (8-0; Whitted/Ward)

13. **UP-07-13**

PROJECT: Elizabeth River Biofuels Project

APPLICANT: International Bio Energy-Virginia, LLC

PROPOSAL: A conditional use permit to allow an ethanol manufacturing facility and co-generation plant on a 97 acre parcel.

ZONE: M-3, Waterfront Industrial District

SIC CODE: 2869 and 4911

LOCATION: 1005 Giant Cement Drive

TAX MAP SECTION/PARCEL: 0180000000010

BOROUGH: Deep Creek

CONTINUED to the October 10, 2007 Public Hearing. (8-0; Rowland/Ward)

G. Director's Items: None

H. Unfinished and New Business

- **Motion to cancel the September 26, 2007 Public Hearing meeting.**

APPROVED. (8-0; Ward/Peoples)

I. Adjournment: 8:32 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 Planning Department, on the 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, September 12, 2007 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 October 10, 2007. 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.