

Department of Planning  
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**MARKED AGENDA**

*Chesapeake Planning Commission*

**PUBLIC HEARING – SEPTEMBER 9, 2015**

**CITY COUNCIL CHAMBER – 7:00 P.M.**

- A. Call to Order: Chairman Kish
- B. Invocation: Commissioner Hutchinson
- C. Pledge of Allegiance: Commissioner Perry
- D. Roll Call: Commissioner Small absent
- E. Approval of Minutes: [August 12, 2015](#)  
**APPROVED.**
- F. Public Hearing Continued Item:
  - 1. [CPL\(M\)-15-01](#)  
**PROJECT:** Culpepper Landing PUD Modification  
**APPLICANT:** Culpepper Landing, LC  
**PROPOSAL:** A request to revise and modify the [Master Land Use Plan and the Land Use Criteria](#) to increase the maximum number of dwelling units from 1095 to 1149 and change the composition of the dwelling units to decrease the number of detached single-family homes from 740 to 654 and increase the number of rowhouses from 355 to 420 while keeping the number of affordable rowhouses at 75; to modify the cash proffers resulting in a total reduction of approximately \$2,681,898.00; to include a lot development phasing provision and to allow the Architectural Review Board to approve swimming pools within the first 35' of the 100' conservation buffer where a hardship is proven.  
**PROPOSED COMP LAND USE / DENSITY:** Low Density Residential with something less than 4 dwelling units per acre  
**EXISTING COMP LAND USE / DENSITY:** Low Density Residential with something less than 4 dwelling units per acre  
**LOCATION:** Terminus of Mill Creek Parkway and Appaloosa Trail west of George Washington Highway South and north of the Great Dismal Swamp Wildlife Refuge  
**TAX MAP SECTION/PARCELS:** 0440000000101, 0440000000340  
**BOROUGH:** Deep Creek

**CONTINUED to the October 14, 2015 Planning Commission Public Hearing.**  
(8-0; Van Laethem/Williams, Small excused)

G. Public Hearing Consent Items:

2. [CP\(D\)-15-01](#)

**PROJECT:** Auto Zone

**APPLICANT:** Chesapeake Development of Hampton Roads, Inc.

**AGENCY:** Shepelle WatkinsWhite Consulting & Law, PLLC

**PROPOSAL:** A request to deviate from the setback requirements for a front yard in the Cahoon Plantation PUD.

**PROPOSED COMP LAND USE / DENSITY:** Business/Commercial

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

**LOCATION:** 1629 Cedar Road

**TAX MAP SECTION/PARCEL:** portion of 0460000001560

**BOROUGH:** Deep Creek

*(Continued from the August 12, 2015 Public Hearing)*

Planning Commission recommends that CP(D)-15-01 be [APPROVED](#) with the following stipulations: (8-0; Van Laethem/Johnson, Small excused) [UPDATE](#)

1. The builder agrees that all buildings on the property subject to this PUD deviation shall be earth tones, as determined by the Director of Planning or designee and that any orange and red striping shall only be on the front portion of the building facing Cedar Road as depicted on the elevation dated September 1, 2015.
2. The builder agrees that a Nichiha product, or similar quality material that provides the appearance of brick, shall be installed on the lower portions of the building as depicted on the elevation dated September 1, 2015, subject to the review and approval of the Director of Planning or designee.
3. The applicant/owner shall submit a landscape plan, which shall be subject to the review and approval of the Director of Development and Permits or designee, prior to final site plan approval. An additional 70% increased landscaping above the minimum street frontage buffer requirements shall be installed in the reduced setback area along Herberts Lane. Such landscaping shall be installed prior to the issuance of a certificate of occupancy.

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

**PROJECT:** Burnette Capital Self Storage

**APPLICANT:** Burnette Capital Inc.

**AGENCY:** Williams Mullen

**PROPOSAL:** A conditional zoning reclassification of a 2.99± acre site from R-10s, Residential District to M-1, Light Industrial, to construct an indoor self-storage facility with an ancillary outside storage component.

**PROPOSED COMP LAND USE / DENSITY:** Light Industry

**EXISTING COMP LAND USE / DENSITY:** Low Density Residential with something less than 4 dwelling units per acre

**LOCATION:** North of the Station House Road and Taylor Road intersection

**TAX MAP SECTION/PARCEL:** 0090000001112

**BOROUGH:** Western Branch

Planning Commission recommends that R(C)-15-19 be [APPROVED](#) with the following proffers: (8-0; Van Laethem/Johnson, Small excused) [UPDATE](#)

1. The applicant/owner agrees that the use of the subject property under the M-1 Light Industrial zoning classification shall be limited to self-storage buildings and associated outside storage and accessory uses and buildings.
2. The applicant/owner agrees to record a non-ingress/egress easement along the entirety of the subject property's frontage on Taylor Road. The alignment and sufficiency of the easement shall be subject to the review and approval of the Director of Development and Permits or designee. The easement shall be in a form acceptable to the City Attorney and shall be recorded before the issuance of any certificate of occupancy on the property subject to this rezoning.
3. The applicant/owner agrees that any fence located within a secondary front yard will be designed to meet the architectural standards required in Zoning Ordinance Section 14-202.B. The proposed materials, height, and location of the fence are subject to the review and approval of the Director of Planning or designee to maximize screening of the outdoor storage and architectural compatibility with the primary structure. The approval of the Planning Director must be obtained prior to any request for a height exception from the Zoning Administrator.
4. The applicant/owner agrees that appearance of the self-storage facility will be generally consistent with the architectural elevations date-stamped September 2, 2015 as determined by the Planning Director or designee. Minor modifications to the appearance of the proposed facility may be approved by the Planning Director or designee to allow for site design and engineering.

4. **STC-15-06**

**PROJECT:** Colony Manor Road Street Closure

**APPLICANT:** Bridgeman Properties, LLC

**AGENCY:** ShepelleWatkinsWhite Consulting & Law PLLC

**PROPOSAL:** A request to close a 2,150±' long by 140±' wide area of unimproved right-of-way on Colony Manor Road.

**ZONE:** M-1 Light Industrial District

**LOCATION:** Located along the eastern portion of the Enterprise South Commerce Park

**TAX MAP SECTION/PARCELS:** Adjacent to parcels 0233002000004 and 0230000000261

**BOROUGH:** Deep Creek

**Planning Commission recommends that STC-15-06 be APPROVED with the following stipulations:** (8-0; Van Laethem/Johnson, Small excused) **UPDATE**

1. The petitioner agrees to pay the City of Chesapeake through the Planning Department the sum of \$69,870, as determined by the City, within ten (10) calendar days of the final approval of the closure of the subject street, alley, easement, or public right-of-way by the Chesapeake City Council. Failure to remit this fee in a timely manner shall render the street closure null and void.
2. The petitioner agrees to abide by any other conditions imposed by City Council in the vacation of the street.

5. **UP-15-36**

**PROJECT:** Body of Christ Community Church

**APPLICANT:** Body of Christ Community Church

**AGENCY:** WTG Design Architects, LLC

**PROPOSAL:** A conditional use permit to allow for the construction of a new church building and a new accessory parking lot.

**ZONE:** R-10s, Residential District and B-1, Neighborhood Business District

**LOCATION:** 4800 & 4804 Station House Road

**TAX MAP SECTION/PARCELS:** 0090000001141 and 0090000001150

**BOROUGH:** Western Branch

**Planning Commission recommends that UP-15-36 be APPROVED with the following stipulations:** (7-0-1; Van Laethem/Johnson, Ellis abstained, Small excused)

1. The applicant/owner must apply for and obtain a demolition permit from Development and Permits and demolish the existing structure labeled as "existing 1-story dwelling" on the preliminary site plan prior to the submittal and approval of a final site construction plan for the renovation of the existing, one (1) story block building (Phase I), the construction of the two (2) story addition to the aforementioned building (Phase II) and the construction of the new, 9,706± square foot accessory parking lot.

2. The applicant/owner shall submit a resubdivision application in accordance with Chapter 70 of the City Code or a deed to vacate the lot line between Tax Parcel Numbers 0090000001141 and 0090000001150 to create one (1) parcel to allow for the church facility and accessory parking lot to be located on the same development site. Such application shall be subject to the review and approval of the Director of Planning, or their designee, and shall be submitted prior to the issuance of any new certificate of occupancy.
3. The applicant/owner shall submit a lighting plan in compliance with the Chesapeake Zoning Ordinance Section 19-407 which shall be subject to the review and approval of the Director of Development and Permits or designee. Said lighting plan shall require the installation of full-cut-off light fixtures to exterior walls and parking lot areas and shall be submitted prior to the approval of a final site construction plan. Further, all lighting shall be installed prior to the issuance of any new certificate of occupancy.
6. **UP-15-38**  
**PROJECT:** AMF Western Branch Laser Tag  
**APPLICANT:** AMF Bowling Centers, Inc.  
**PROPOSAL:** A conditional use permit to operate an indoor laser tag recreational facility.  
**ZONE:** B-1, Neighborhood Business District  
**LOCATION:** 3101 Lynnhurst Boulevard  
**TAX MAP SECTION/PARCELS:** 0090000001300, 0090000001301  
**BOROUGH:** Western Branch  
  
**Planning Commission recommends that UP-15-38 be APPROVED.** (8-0; Van Laethem/Johnson, Small excused)
7. **CIB-15-05**  
**PROJECT:** Great Bridge Storage, LLC  
**APPLICANT:** City of Chesapeake, Planning Department  
**PROPOSAL:** Approval of the purchase of 48.4± acres for open space, recreation and conservation as being in substantial compliance with the adopted Comprehensive Plan as required by Section 15.2-2232 et seq. of the Code of Virginia.  
**EXISTING COMP LAND USE / DENSITY:** Agriculture/Open Space  
**LOCATION:** 1736 Mt. Pleasant Road  
**TAX MAP SECTION/PARCEL:** 0500000000550  
**BOROUGH:** Butts Road  
  
**APPROVED.** (8-0; Van Laethem/Johnson, Small excused)

H. Public Hearing Regular Items:

8. **R(C)-14-26**

**PROJECT:** Pine Grove West Rezoning

**APPLICANT:** Jolliff Road Properties, LLC

**AGENCY:** Hoggard-Eure Associates, PC

**PROPOSAL:** A conditional zoning reclassification of 14.32± acres from A-1, Agricultural District (11.26± acres), R-15s, Residential District (2.12± acres) and B-2, General Business District (0.94± acres) to R-15s, Residential District (0.25± acres), R-TH-1, Townhouse Residential District (11.95± acres) and O&I, Office and Institutional District (2.12± acres).

**PROPOSED COMP LAND USE / DENSITY:** Medium Density Residential with something less than 7.68 dwelling units per acre

**EXISTING COMP LAND USE:** Office

**LOCATION:** 5052, 5060 & 5064 Portsmouth Boulevard

**TAX MAP SECTION/PARCELS:** 0140000000103, portion of 0140000000070, 0140000000080

**BOROUGH:** Western Branch

*(Continued from the August 12, 2015 Public Hearing)*

**Planning Commission recommends that R(C)-14-26 be APPROVED with the following proffers:** (6-2; Van Lethem/Johnson, Kish, Morris opposed, Small excused)

1. **The applicant/owners agree that the development of the property subject to this rezoning, R(C)-14-26 (the “property”), will be in substantial compliance with the plan entitled “Concept Plan, Pine Grove West for: Coastal Virginia Developers”, date stamped July 30, 2015, on file with the Planning Department, as determined by the Director of Planning or designee.**
2. **A conceptual site plan entitled “Concept Plan for Pine Grove West”, dated July 30, 2015, a copy of which is on file with the Chesapeake Planning Department, has been submitted to the Chesapeake Planning Department, Planning Commission and City Council for illustrative purposes only and to provide support for this rezoning action. No rights shall vest nor any cause of action shall arise from the submission, review or acceptance of this conceptual site plan. In order to obtain preliminary or final site or subdivision approval, changes in the conceptual site plan will be necessary to accommodate environmental, engineering, architectural, topographic, or other development conditions, and to meet the requirements of applicable laws, ordinances and regulations. All preliminary and final site and subdivision plans are subject to the approval of the Director of Planning, or designee and/or the Director of Development and Permits or designee. A copy of the final approved site plan shall be placed in the file with the Planning Department and the Department of Development and Permits and shall supersede any previously filed conceptual site plan.**

3. **The applicant/owner shall provide dedications for the Portsmouth Boulevard widening project as follows:**
  - a. **The applicant/owners shall dedicate the right-of-way and easements as shown on the exhibit entitled, “Project Parcel #002, plat showing proposed property acquisitions for proposed right of way, proposed permanent drainage easements, proposed non-exclusive utility easement, and proposed temporary construction easement for the City of Chesapeake to be acquired from tax parcel 014000000070 owned now or formerly by Go Mama Enterprises, LLC” and dated November 25, 2014, at no cost to the City. The drainage easement shown on said plat shall be dedicated jointly to the City of Chesapeake and to the City of Suffolk at no additional cost, and the non-exclusive utility easement dedication shall at no additional cost be inclusive of a dedication jointly to the City of Chesapeake and any private utility entities to be relocated to said easement as part of the Portsmouth Boulevard Corridor Improvements Project. The dedication of right-of way and easements shall be completed by execution of deeds on forms prepared by the City Attorney’s Office and private utility entities within 30 days of the applicant/owners receipt of a written request from the Director of Development and Permits or designee. The applicant/owners agree that the deeds recording these right-of-way and easements shall include a statement that, “The applicant/owners and its assigns shall not be entitled to a claim of damages to the residual property for improvements in the dedication area or damages to the residue by reason of the right-of-way and easement dedications and/or electronic and telecommunication relocations associated with the Portsmouth Boulevard Road improvements.”**
  - b. **The applicant/owners shall dedicate the right-of-way and easements as shown on the exhibit entitled, “Project Parcel #005, plat showing proposed property acquisitions for proposed right of way, proposed permanent drainage easements, proposed non-exclusive utility easement, and proposed temporary construction easement for the City of Chesapeake to be acquired from tax parcel 014000000103 owned now or formerly by Charles W. Wilkins & Alice J. Wilkins” and dated November 25, 2014, at no cost to the City. The drainage easement shown on said plat shall be dedicated jointly to the City of Chesapeake and to the City of Suffolk at no additional cost, and the non-exclusive utility easement dedication shall at no additional cost be inclusive of a dedication jointly to the City of Chesapeake and any private utility entities to be relocated to said easement as part of the Portsmouth Boulevard Corridor Improvements Project. The dedication of right-of way and easements shall be completed by execution of deeds on forms prepared by the City Attorney’s**

**Office and private utility entities within 30 days of the applicant/owners receipt of a written request from the Director of Development and Permits or designee. The applicant/owners agree that the deeds recording these right-of-way and easements shall include a statement that, "The applicant/owners and its assigns shall not be entitled to a claim of damages to the residual property for improvements in the dedication area or damages to the residue by reason of the right-of-way and easement dedications and/or electronic and telecommunication relocations associated with the Portsmouth Boulevard Road improvements."**

- c. The applicant/owners shall dedicate the right-of-way and easements as shown on the exhibit entitled, "Project Parcel #004, plat showing proposed property acquisitions for proposed right-of-way, proposed permanent drainage easements, proposed non-exclusive utility easement, and proposed temporary construction easement for the City of Chesapeake to be acquired from tax parcel 014000000080 owned now or formerly by Potomac Conference Corporation of Seventh Day Adventists and dated November 25, 2104, at no cost to the City. The drainage easement shown on said plat shall be dedicated jointly to the City of Chesapeake and to the City of Suffolk at no additional coast, and the non-exclusive utility easement dedication shall at no additional cost be inclusive of a dedication jointly to the City of Chesapeake and any private utility entities to be relocated to said easement as part of the Portsmouth Boulevard Corridor Improvement Project. The dedication of right-of-way and easements shall be completed by execution of deeds on forms prepared by the City Attorney's Office and private utility entities within 30 days of the applicant/owners receipt of a written request from the Director of Development and Permits or designee. The applicant/owners agree that the deeds recording these right-of-way and easements shall include a statement that, "The applicant/owners and its assigns shall not be entitled to a claim of damages to the residual property for improvements in the dedication area or damages to the residue by reason of the right-of-way and easement dedications and/or electronic and telecommunication relocations associated with the Portsmouth Boulevard Road improvements.**

- 4. The applicant/owner shall provide the following at no cost to the City:**
  - a. The applicant/owner shall record a shared ingress/egress easement on the entirety of the west side of tax parcel 014000000070 to provide shared access to Portsmouth Boulevard with tax parcel 014000000050 to insure that future development shall have adequate access. The ingress/egress easement shall be 15' in width or as approved by the Director of**

**Development and Permits or designee at the time of final site construction plan submittal. The applicant/owner shall also record a non-ingress/egress easement for all other parcels subject to this rezoning along the entirety of all parcels with frontage that abuts Portsmouth Boulevard. All of the easements referenced above shall be recorded on the initial subdivision plat or re-subdivision plat for this development.**

- b. The applicant/owners shall provide a one foot non ingress/egress easement on along the entire length of tax parcel 014000000103, 014000000080 and a portion of 014000000070 where it adjoins the right-of-way of Portsmouth Boulevard as seen on the exhibit entitled, "Concept Plan for Pine Grove West" and date stamped July 30, 2015. The easement, including but not limited to the alignment and sufficiency of said easement, shall be subject to the review and approval of the Director of Development and Permits or designee to provide for the implementation of an Access Management Plan for Portsmouth Boulevard. The easements shall be recorded on the subdivision plat.**
- c. The applicant/owner shall provide and construct a City Standard Road in a 50' right-of-way as depicted in Volume 2 of Chesapeake's Public Facilities Manual along the entirety of the common boundary between tax parcels 014000000090 and 014000000140 as shown on the rezoning exhibit entitled, "Concept Plan for Pine Grove West" and date stamped July 30, 2015. The layout is subject to minor changes at time of final construction plan review at the discretion of the Director of Development and Permits, to comply with City Standards and design policies. The alignment and sufficiency of the road and right-of-way shall be subject to the review and approval of the Director of Development and Permits or designee and shall be constructed or bonded prior to the issuance of the 24th certificate of occupancy on the property subject to this rezoning.**
- 5. The applicant/owners agree to limit the development of the subject property to no more than 110 single-family attached (townhouse) units.**
- 6. The applicant/owners agree to make a cash contribution to the City of Chesapeake for capital improvements to public school facilities, public transportation facilities, public libraries, and public emergency service facilities. The amount of the voluntary cash contribution shall be \$1,814.00 per residential dwelling unit. The applicant/owners agree to make the proffered cash contribution prior to the issuance of a certificate of occupancy for each residential dwelling unit, or building containing residential units. 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 Future Capital Needs and shall be subject to City Council approval prior to appropriation and used for capital improvements as permitted by the Chesapeake Proffer Policy, the Chesapeake Zoning Ordinance and the Code of Virginia. The cash proffers may be used for alternative improvements approved by the City Council under Section 15.2-2303.2 of the Code of Virginia, including major repairs and renovations of public facilities, to the extent permitted by state law. The cash proffer shall be allocated as follows: Schools \$848.00; Libraries \$576.00; Emergency Services \$390.00.

7. The applicant/owners shall install a 15-foot landscape Buffer Yard D along the entirety of the Hampton Roads Parkway Road frontage adjacent to the property. This buffer shall be subject to the review and approval of the Director of Development and Permits or designee and shall be installed or bonded for installation prior to the recordation of the subdivision plat.
8. Prior to the issuance of the first certificate of occupancy on the Property, the applicant/owners shall record private covenants and restrictions to establish a Property Owners Association to own and maintain all private common areas, open space, landscape buffers, private streets and alleys and stormwater management facilities within the subject property. The private covenants and restrictions shall include the Design Standards (a), (b), (c) and (d) below. The enforcement of the design standards below shall be the sole responsibility of the Property Owners Association.
  - a. The side or rear of a building located adjacent and visible from a public street shall be designed so as to possess as much detail as the primary façade oriented toward another public street. Visual interest shall be provided through window and door details, varied rooflines, consistent textures and color and similar considerations.
  - b. Architectural motif and exterior elevations shall be in substantial conformance with the building elevations dated August 26, 2015 on file with the Planning Department. Further, the motif and elevations shall be compatible in terms of the overall structure and its relationship to other structures based on location, size and quality within the single family attached development. The selection of the materials shall be harmonious with the architectural motif. Exterior walls with the same color scheme as adjacent or nearby homes will be permitted on a frequency of only every fourth dwelling unit. The arrangement of color shall vary on all adjacent buildings. Preferred exterior finish materials are fiber-cement siding, Carolina Beaded Vinyl, brick, stone and wood. There shall be a minimum 4-inch width corner trim board, window trim and door trim.

- c. **Roofing shall be of any architectural grade product with weight of 250 pounds per “square” (100 square feet) or greater will be acceptable, with a minimum of 25 year warranty.**
  - d. **Exposed roof vent stacks shall be located for minimum visibility and shall be either painted black or another color matching the roof.**
9. **The applicant/owners rely on the exhibit entitled “Concept Plan for Pine Grove West”, date stamped July 30, 2015, which is a survey depicting the boundary lines between the Cities of Chesapeake and Suffolk. The applicant/owners assume any and all risk associated with relying on the boundary line depicted on the referenced exhibit.**
- I. Planning Director Items: None.
  - J. Unfinished and New Business:
    - **Motion to cancel the September 23, 2015 Public Hearing meeting. APPROVED.** (8-0;Williams/Ellis, Small excused)
  - K. Adjournment: 8:29 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](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 (Cox Cable channel 48 and Verizon Cable channel 43) and re-televised Wednesday, September 9, 2015 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 14, 2015. 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.