MARKED AGENDA

Chesapeake Planning Commission
PUBLIC HEARING – FEBRUARY 11, 2009
CITY COUNCIL CHAMBER – 7:00 PM

A. Call to Order: Chairman Rowland
B. Invocation: Commissioner Whitted
C. Pledge of Allegiance: Commissioner Small
D. Roll Call: Commissioner Watson absent
E. Approval of Minutes: JANUARY 14, 2009 APPROVED. (8-0; Wilfore/Whitted – Watson absent)

F. Public Hearing Consent Items:

1. R(C)-08-07
PROJECT: Thompson Property Rezoning
APPLICANT: Gary L. & Nancalee D. Thompson
AGENCY: Horton & Dodd, PC
PROPOSAL: A conditional zoning reclassification of 20.26 acres from A-1, Agricultural District to RE-1, Residential Estate District for development of single family homes.
PROPOSED COMP LAND USE & DENSITY: Low Density Residential
EXISTING COMP LAND USE & DENSITY: Rural
LOCATION: Adjacent and east of 324 Benefit Road
TAX MAP SECTION/PARCEL: 0850000000156
BOROUGH: Pleasant Grove
(Continued from the January 14, 2008 Public Hearing)

WITHDRAWN, no action necessary.
2. **R-08-20**  
**PROJECT:** Bunch Walnuts Road Wetland’s Bank  
**APPLICANT:** Great Dismal Swamp Restoration Bank, LLC  
**AGENCY:** Horton & Dodd, PE  
**PROPOSAL:** A conventional zoning reclassification of 140 acres from A-1, Agricultural District to C-1, Conservation District for the creation of a wetlands bank.  
**PROPOSED COMP LAND USE & DENSITY:** Wetlands bank  
**EXISTING COMP LAND USE & DENSITY:** Conservation  
**LOCATION:** East of Bunch Walnuts Road and north of Northwest River  
**TAX MAP SECTION/PARCEL:** 0950000000020  
**BOROUGH:** Pleasant Grove  

**WITHDRAWN**, no action necessary.

3. **R-08-21**  
**PROJECT:** George Washington Highway South  
**APPLICANT:** F. Lewis Wood and Ashton Lewis  
**AGENCY:** Horton & Dodd, PE  
**PROPOSAL:** A conventional zoning reclassification of 153 acres from A-1, Agricultural District to C-1, Conservation District for the creation of a wetlands bank.  
**PROPOSED COMP LAND USE & DENSITY:** Wetlands bank  
**EXISTING COMP LAND USE & DENSITY:** Rural/Route 17 Corridor  
**LOCATION:** George Washington Highway South, south of Douglas Road  
**TAX MAP SECTION/PARCEL:** 0810000000010  
**BOROUGH:** Pleasant Grove  

**WITHDRAWN**, no action necessary.

4. **R(C)-08-22**  
**PROJECT:** Great Dismal Swamp Restoration Bank  
**APPLICANT:** Galberry Corporation  
**AGENCY:** Horton & Dodd, PE  
**PROPOSAL:** A conditional zoning reclassification of a 206.823 acre portion of a 460.993 acre area from A-1, Agricultural District to C-1, Conservation District for the creation of a wetlands bank.  
**PROPOSED COMP LAND USE & DENSITY:** Wetlands bank  
**EXISTING COMP LAND USE & DENSITY:** Conservation/Low Density Residential  
**LOCATION:** West of Weiss Lane, east of Portsmouth Ditch, north of Big Entry Ditch  
**TAX MAP SECTION/PARCEL:** 0440000000110, 0440000000112, 0330000000040  
**BOROUGH:** Deep Creek
CONTINUED to the March 11, 2009 Public Hearing. (8-0; Peoples/Small – Watson absent)

5. **R(C)-08-23**  
   **PROJECT:** Washington Woods  
   **APPLICANT:** Bohn Construction Company  
   **AGENCY:** Horton & Dodd, PC  
   **PROPOSAL:** A conditional zoning reclassification of 9.25 acres from A-1, Agricultural District to R-15s, Single-family Residential District  
   **PROPOSED COMP LAND USE & DENSITY:** Low density residential, 2.2 dwelling units per acre  
   **EXISTING COMP LAND USE & DENSITY:** Low density residential, 0.33 dwelling units per acre  
   **LOCATION:** Property located at the intersection of Washington Drive and Midway Drive  
   **TAX MAP SECTION/PARCEL:** 0580000000090  
   **BOROUGH:** Pleasant Grove  
   CONTINUED to the March 11, 2009 Public Hearing. (8-0; Peoples/Small – Watson absent)

6. **UP-08-36**  
   **PROJECT:** New Temple Grove Ministries Residential Care Facility  
   **APPLICANT:** Temple Grove Chapel  
   **AGENCY:** Horton & Dodd, PC  
   **PROPOSAL:** A conditional use permit to allow a residential care facility/rehabilitation center on a 5.462 acre parcel  
   **ZONE:** O&I, Office and Institutional District and R-15s, Residential District  
   **SIC CODE:** 8361  
   **LOCATION:** 3972 South Military Highway  
   **TAX MAP SECTION/PARCEL:** 0230000000062  
   **BOROUGH:** Deep Creek  
   CONTINUED to the March 11, 2009 Public Hearing. (8-0; Peoples/Small – Watson absent)

7. **TA-Z-08-12**  
   An ordinance amending and reenacting Appendix "A" of the Chesapeake City Code, entitled "Zoning", Article 13, Sections 13-1401 and 13-1402 and Article 14, Section 14-705, to allow certain signs related to seasonal agricultural produce sales. *(Continued from the January 14, 2009 Public Hearing)*

   Planning Commission recommends that TA-Z-08-12, version dated January 29, 2009, be **APPROVED**. (8-0; Peoples/Whitted – Watson absent)
8. **R(C)-08-19**  
**PROJECT:** Northwest River Park  
**APPLICANT:** Chesapeake Dept of Parks and Recreation  
**AGENCY:** Department of Parks and Recreation  
**PROPOSAL:** A conditional zoning reclassification of 763 acres from A-1, Agricultural District and C-1, Conservation District to C-3, Recreation District.  
**PROPOSED COMP LAND USE & DENSITY:** Recreation/Open Space  
**EXISTING COMP LAND USE & DENSITY:** Recreation/Open Space  
**LOCATION:** 1733 Indian Creek Road  
**TAX MAP SECTION/PARCEL:** 1090000000050  
**BOROUGH:** Butts Road  

*CONTINUED to the May 13, 2009 Public Hearing.* (7-1; Hutchinson/Peoples, Smith opposed – Watson absent)

9. **R-08-24**  
**PROJECT:** Great Bridge Congregation of Jehovah’s Witnesses  
**APPLICANT:** Great Bridge Congregation of Jehovah’s Witnesses Trustees  
**AGENCY:** Willie Lorenzo Tanksley, Sr.  
**PROPOSAL:** A conventional zoning reclassification of 3.03 acres from R-15s, Residential District to AC, Assembly Center District to construct a church.  
**PROPOSED COMP LAND USE & DENSITY:** Church  
**EXISTING COMP LAND USE & DENSITY:** Low density Residential  
**LOCATION:** 681 Oak Grove Road  
**TAX MAP SECTION/PARCEL:** 0370000001190  
**BOROUGH:** Washington

Planning Commission recommends that R-08-24 be **APPROVED.** (8-0; Peoples/Whitted - Watson absent)

10. **GB(M)-08-02**  
**PROJECT:** The Streets of Greenbrier  
**APPLICANT:** Cove Land, LLC  
**AGENCY:** Engineering Services Inc.  
**PROPOSAL:** A modification to the Greenbrier PUD Development Criteria for the ‘Streets of Greenbrier’ to permit surface parking in Land Use Area 1, multi-family residential development in Land Use Area 3, and an expansion of permitted uses in the O&I District in all areas. **Exhibits**  
**PROPOSED COMP LAND USE & DENSITY:** Not applicable  
**EXISTING COMP LAND USE & DENSITY:** Regional mixed use to include commercial, professional offices, retail sales, and service establishments and residential units not to exceed 30 dwelling units per acre  
**LOCATION:** Property generally located north of Greenbrier Mall between the I-64 on-ramp and 660± feet westward of River Birch Run.  
**TAX MAP SECTION/PARCEL:** 0280000000077  
**BOROUGH:** Washington
Planning Commission recommends that GB(M)-08-02, including the development criteria dated January 23, 2009, be **APPROVED**. (8-0; Peoples/Whitted – Watson absent)

11. **UP-06-44(Rev 12/08)**  
**PROJECT:** Chicho’s Restaurant  
**APPLICANT:** SOS Pizza, LLC  
**AGENCY:** Pinnacle Group Engineering, Inc.  
**PROPOSAL:** A conditional use permit to revise UP-06-44 to allow the sale of alcohol in unit 115 of the Orchard Square Shopping Center at 1400 Kempsville Road.  
**ZONE:** B-1, Neighborhood Business District  
**SIC CODE:** 58  
**LOCATION:** 1400 Kempsville Road, Parcel B, Unit 115  
**TAX MAP SECTION/PARCEL:** 0380000001500  
**BOROUGH:** Washington  

Planning Commission recommends that **UP-06-44(Rev 12/08)** be **APPROVED** with the following stipulation: (8-0; Peoples/Whitted – Watson absent)

- No alcoholic beverages may be sold for onsite consumption after 2 a.m.

12. **UP-08-33**  
**PROJECT:** Philadelphia Church of Christ Disciples  
**APPLICANT:** Charlotte Stokes and Edith Stokes  
**PROPOSAL:** A conditional use permit to allow a church in unit 116 and unit 117 at Ahoy Acres Shopping Center.  
**ZONE:** B-2, General Business  
**SIC CODE:** 866  
**LOCATION:** 3940 Airline Boulevard  
**TAX MAP SECTION/PARCEL:** 0163004000002  
**BOROUGH:** Western Branch  

Planning Commission recommends that **UP-08-33** be **APPROVED**. (8-0; Peoples/Whitted – Watson absent)
13. **UP-08-34**  
**PROJECT:** Firestone Tire Center at Edinburgh  
**APPLICANT:** Centres, Inc./BFS North East, LLC, A Florida Limited Liability Co.  
**AGENCY:** Wolverton & Associates, Inc.  
**PROPOSAL:** A conditional use permit to allow a motor vehicle service facility on 1.02 acres.  
**ZONE:** PUD, Planned Unit Development District  
**SIC:** 75  
**LOCATION:** West side of Battlefield Boulevard South, approximately 333 feet south of Hillcrest Parkway  
**TAX MAP SECTION/PARCEL:** 073000001780  
**BOROUGH:** Pleasant Grove  

Planning Commission recommends that UP-08-34 be **APPROVED** with the following stipulation:  
(8-0; Peoples/Whitted – Watson absent) **UPDATED STAFF REPORT**

- The architectural design of the building shall substantially conform to the exhibit stamp dated January 28, 2009, and shall comply with the requirements of the Edinburgh PUD Development Criteria. The architectural design shall be approved by the Edinburgh Architectural Review Committee and the Planning Director or designee prior to final site plan approval.

14. **UP-08-35**  
**PROJECT:** Trinity Baptist Church – Faith Diamond  
**APPLICANT:** Trinity Baptist Church  
**AGENCY:** Site Improvement Associates, Inc.  
**PROPOSAL:** A conditional use permit to construct an off-site parking lot to service an existing church.  
**ZONE:** R-10, Residential District  
**SIC CODE:** 8661  
**LOCATION:** Property is located 182± feet south of 1023 Deep Creek Boulevard  
**TAX MAP SECTION/PARCEL:** 0252011000880, 0252011000990  
**BOROUGH:** Deep Creek  

Planning Commission recommends that UP-08-35 be **APPROVED** with the following stipulations:  
(8-0; Peoples/Whitted – Watson absent)

1. The applicant/owner shall install a 15 foot wide enhanced buffer D along the parking lot’s southern and eastern boundaries. This enhanced buffer shall include a combination of Leyland Cypress and Nellie Stevens Holly for a total of 10 plants and 25 evergreen shrubs, such as Wax Myrtle or Lagustrum, per each 100 linear feet as approved by the City Arborist. All other landscaping requirements shall apply.
2. The final site plan shall depict an adequate pedestrian sidewalk connecting the existing sidewalk at Janice Lynn Court to the existing sidewalk at Pendragon Court as approved by the Director of Public Works or designee. This may require pavement widening on the west side of Deep Creek Blvd. The sidewalk shall be completed before approval of a certificate of occupancy.

3. For the final site plan, the two (2) parking spaces located at the existing residential entrance shall be removed to allow for adequate ingress and egress.

4. The applicant/owner agrees to place “No Trespassing and No Loitering” signs in the parking lot.

5. All parking lot lighting shall include light poles no higher than 18 feet and full cut-off fixtures only. The illumination cannot exceed 0.5 foot-candles at the property line.

G. Director’s Items: None.

H. Unfinished and New Business:

- Motion to cancel the February 25, 2009 Public Hearing meeting. APPROVED. (8-0; Peoples/Hutchinson – Watson absent)

I. Adjournment: 7:51 PM

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 re-televised Wednesday, February 11, 2009 at 11:00 pm. If the meeting concludes after 11:00 pm 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 am until the next scheduled Planning Commission Meeting on March 11, 2009. 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.