MARKED AGENDA

Chesapeake Planning Commission

PUBLIC HEARING – OCTOBER 11, 2017
CITY COUNCIL CHAMBER – 7:00 P.M.

A. Call to Order
B. Pledge of Allegiance   Commissioner Johnson
C. Invocation            Commissioner McCormick
D. Roll Call             All members present
E. Approval of Minutes:  September 13, 2017  APPROVED
F. Public Hearing Continued Items

1. **PLN-TXT-2017-008**
   An Ordinance amending Appendix A of the City Code, entitled “Zoning,”
   Article 3, Section 3-403; Article 6, Sections 6-2101 and 6-2102; Article
   10, Sections 10-502, 10-503, 10-601 and 10-602; and Article 14,
   Sections 14-101, 14-102, and 14-904 to clarify and correct provisions
   relating to the keeping of livestock on residential properties in the A-1,
   Agricultural District, and RE-1, Residential Estate District; to add a
   definition of animal units; add a table detailing the number of animal units
   that are permitted in RE-1, Residential Estate District, and A-1,
   Agricultural District, based on the acreage of the lot; and simplify the
   regulations regarding accessory structures in residential and agricultural
   districts.

   Planning Commission recommends that **PLN-TXT-2017-008** be
   **CONTINUED** to the January 10, 2018 Planning Commission Public
   Hearing in order to allow time to develop and review a public hearing
   draft of the ordinance. (8-0; Van Laethem/Gilbert)
2. **PLN-STCL-2017-004**  
**PROJECT:** Portion of Kegman Road Street Closure  
**APPLICANT:** Wetherington Homes, Inc.  
**AGENT:** ShepelleWatkinsWhite Consulting & Law PLLC  
**PROPOSAL:** A street closure petition to close an 8,532 square foot portion of Kegman Road.  
**ZONE:** R-15s, Residential District  
**ZONING MAP LOCATION:** Northwest of the intersection of Kegman Road and Kegman Road West  
**TAX MAP SECTION/PARCEL:** N/A  
**BOROUGH:** Pleasant Grove  

Planning Commission recommends that **PLN-STCL-2017-004** be **CONTINUED** to the **November 8, 2017,** Planning Commission Public Hearing. (8-0; Van Laethem/Gilbert)

3. **PLN-REZ-2016-031**  
**PROJECT:** Creeks Edge North at Norfolk Highlands  
**APPLICANT:** Dearden Management Group. LLC  
**AGENCY:** Williams Mullen  
**PROPOSAL:** A conditional zoning reclassification of approximately 1.04 acres from B-1, Neighborhood Business District, to R-MF-1 Multi-Family District.  
**PROPOSED COMP LAND USE / DENSITY:** Low Density Residential with 4 dwelling units per acre.  
**EXISTING COMP LAND USE / DENSITY:** Business/Commercial  
**ZONING MAP LOCATION:** 1620 Rokeby Avenue  
**TAX MAP SECTION/PARCEL:** 0200000000172  
**BOROUGH:** Washington  
(Continued 90 days from the July 12, 2017 Planning Commission Public Hearing)  

Planning Commission recommends that **PLN-REZ-2016-031** be **CONTINUED** to the **November 8, 2017,** Public Hearing. (8-0; Van Laethem/Gilbert)
4. **PLN-REZ-2017-023**

**PROJECT:** Gilmerton Terrace  
**APPLICANT:** Scott Alperin  
**OWNER:** Rough Diamond Holdings, LLC  
**AGENCY:** Brittney Willis  
**PROPOSAL:** A zoning reclassification of approximately 1.57 acres parcel from B-1, Neighborhood Business District, to R-8, Residential District.  
**PROPOSED COMP LAND USE / DENSITY:** Medium-Density Residential with 0.44 dwelling unit per acre.  
**EXISTING COMP LAND USE / DENSITY:** Medium-Density Residential with something less than 16 dwelling units per acre.  

**ZONING MAP**  
**LOCATION:** Northeast of the intersection of Old Deep Creek Boulevard and Gilmerton Road.  
**TAX MAP SECTION/PARCELS:** 0251001000211, 0251001000212, 0251001000213, 0251001000214, and 0251001000215  
**BOROUGH:** Deep Creek  

Planning Commission recommends that **PLN-REZ-2017-023** be **APPROVED** with the following proffers. (8-0; Van Laethem/Johnson)

1. The applicant/owner agrees that the properties subject to this rezoning shall be subdivided into no more than three (3) single family lots.

2. The conceptual site plan submitted by American Engineering and date-stamped September 7, 2017 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 shall any cause of action 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 Department of Development and Permits and shall supersede any previously-filed conceptual site plan. Unless otherwise indicated in the proffer statement, the public improvements depicted on this site plan are not being proffered.
5. **PLN-REZ-2017-025**

**PROJECT:** Chesapeake Alzheimer’s Special Care Center  
**APPLICANT:** Chesapeake Care Group, LLC  
**AGENCY:** Kimley-Horn and Associates, Inc.  
**PROPOSAL:** A conditional zoning reclassification of approximately 4.12 acres from R-15s, Residential District, to O&I, Office and Institutional District  
**PROPOSED COMP LAND USE / DENSITY:** Office & Institutional  
**EXISTING COMP LAND USE / DENSITY:** Office

**ZONING MAP LOCATION:** 361 Great Bridge Boulevard  
**TAX MAP SECTION/PARCEL:** 0360000001770, 0360000001780, 0360000001790  
**BOROUGH:** Washington

Planning Commission recommends that **PLN-REZ-2017-025** be **APPROVED** with the following proffers: (8-0; Van Laethem/Johnson)

1. The applicant/owner agrees to construct one entrance onto Great Bridge Boulevard on the property subject to this rezoning. Said entrance shall align with Preservation Reach, as determined by the Director of Development and Permits or designee. Said entrance shall be subject to the review and approval of the Director of Development and Permits and shall be installed prior to issuance of a certificate of occupancy.

2. The applicant/owner agrees to record an approximately 35 foot wide cross reciprocal access easement for a future shared access to Great Bridge Boulevard. Said access easement shall run from Great Bridge Boulevard along the property line of the adjacent properties (tax map parcels 0360000001760 and 0360000001750) as depicted on the exhibit entitled, “Conceptual Landscape and Site Plan,” prepared by Kimley Horn and date received August 11, 2017. Said easement shall be for the benefit of tax map parcels 0360000001760 and 0360000001750. Further, the applicant/owner agrees that the referenced easement shall also be for the benefit of tax map parcels 0360000001722 and 0360000001720, if they are developed commercially. The alignment and sufficiency of the easement shall be subject to the review and approval of the Director of Development and Permits or designee and shall be recorded prior to final site construction plan approval.
3. The applicant/owner shall be responsible for constructing an entrance, with a grass median, as depicted on the Conceptual Plan referenced in the proffer above, prior to the issuance of a certificate of occupancy. As the parcels benefitted by the access easement referenced in proffer #2 are developed, the applicant/owner acknowledges that modifications to the constructed entrance may be required during plan approvals to accommodate additional traffic generated by the new development(s). Such modifications may include removal of the grass median, additional lanes or other changes, as determined necessary by the Director of Development and Permits or designee.

4. The applicant/owner shall dedicate one-half of a four-lane roadway (120’ right-of-way per City’s 2050 Master Transportation Plan) along the subject property’s entire frontage on Great Bridge Boulevard at no cost to the City. The alignment and sufficiency of the dedication shall be subject to the review and approval of the Director of Development and Permits or designee and shall be recorded prior to final site construction plan approval.

5. The applicant/owner shall record a non-ingress/egress easement, by plat or on forms acceptable to the City Attorney, along the frontage of Great Bridge Boulevard, except for the entrance. Said easement shall be subject to the review and approval of the Director of Development and Permits or designee and shall be recorded prior to final site plan approval.

6. The applicant/owner shall engage a Qualified Environmental Professional (QEP) to prepare, execute and monitor a soil management plan and worker health and safety protocols. The QEP shall prepare a soil management plan to handle onsite impacted soils, onsite and offsite soil management, proper offsite disposal and/or groundwater in accordance with state and federal regulations including, but not limited to proper health and safety protocols with respect to worker safety, characterization, and proper off-site disposal. Any wastes removed from the property must be disposed according to the requirements of the Virginia Hazardous Waste Management Regulations, as applicable. The soil management plan and worker health and safety protocols shall be subject to the review and approval of the City and shall be submitted prior to the issuance of an approved Erosion and Sediment Control Plan and Chesapeake Land Disturbing Permit. Thereafter, the applicant/owner shall be responsible for executing and monitoring to assure compliance with the approved plans and protocols.
6. **PLN-USE-2017-031**  
**PROJECT:** Chesapeake Alzheimer’s Special Care Center  
**APPLICANT:** Chesapeake Care Group, LLC  
**AGENCY:** Kimley-Horn and Associates, Inc.  
**PROPOSAL:** A conditional use permit to operate an Alzheimer’s Memory Care Center  
**ZONE:** O&I, Office and Institutional District (proposed)  
**ZONING MAP**  
**LOCATION:** 361 Great Bridge Boulevard  
**TAX MAP SECTION/PARCEL:** 0360000001770, 0360000001780, 0360000001790  
**BOROUGH:** Washington  

Planning Commission recommends that **PLN-USE-2017-031** be **APPROVED** with the following stipulations: (8-0; Van Laethem/Johnson)

1. The owner/applicant agrees that the proposed building will be constructed in substantial conformity with the building elevations prepared by Michael Jung, architect, date received August 11, 2017, as determined by the Director of Planning or designee.

2. The owner/applicant agrees that the proposed fence located in the established front yard adjacent to Great Bridge Boulevard will be a decorative, black aluminum product consistent with the photograph on file with the Planning Department date received September 29, 2017. Said fence shall be installed prior to the issuance of a certificate of occupancy. Further, the owner/applicant agrees that the fence shall be installed in compliance with the requirements of the City Zoning Ordinance, or in the alternative, the owner/applicant may submit an application for a variance and obtain approval from the Chesapeake Board of Zoning Appeals, prior to final site plan approval.

7. **PLN-USE-2017-017**  
**PROJECT:** Battlefield Storage  
**APPLICANT:** Battlefield Storage, LLC  
**AGENCY:** Williams Mullen  
**PROPOSAL:** A conditional use permit to construct an indoor climate controlled self storage facility.  
**ZONE:** B-2, General Business District  
**ZONING MAP**  
**LOCATION:** 1308 Battlefield Boulevard North  
**TAX MAP SECTION/PARCEL:** Portion of 0360000003550  
**BOROUGH:** Washington  

Planning Commission recommends that **PLN-USE-2017-017** be **APPROVED** with the following stipulations: (8-0; Van Laethem/Johnson)
1. The applicant/owner agrees that the building for the proposed conditional use will be constructed in substantial conformity with the building elevations prepared by GMF+Associates, date received August 21, 2017, as determined by the Director of Planning or designee.

2. The applicant/owner agrees to install an enhanced Buffer Yard “F” along the property line adjacent to Volvo Parkway that includes at least 30% more plant materials than required by the City Zoning Ordinance. This buffer shall be subject to the review and approval of the City’s Landscape Coordinator and shall be installed prior to the issuance of a certificate of occupancy.

8. **PLN-USE-2017-036**  
**PROJECT:** Mt. Pleasant Mennonite Cemetery Extension  
**APPLICANT:** Leon D Yoder  
**OWNER:** Mount Pleasant Mennonite Church  
**PROPOSAL:** A conditional use permit proposal to expand the existing cemetery located in the R-15s, Residential District, into the A-1, Agricultural District.  
**EXISTING COMP LAND USE:** Agriculture/Open Space  
**ZONING MAP LOCATION:** 2041 Mount Pleasant Rd  
**TAX MAP SECTION/PARCEL:** 0500000000330  
**BOROUGH:** Butts Road

Planning Commission recommends that **PLN-USE-2017-036** be **APPROVED**. (8-0; Van Laethem/Johnson)

9. **PLN-SITE-2017-004**  
**PROJECT:** Solid Rock Worldwide Outreach Ministry Parking  
**APPLICANT:** Solid Rock Worldwide Outreach Ministry  
**PROPOSAL:** A preliminary site plan review for approval of a cooperative parking agreement to allow the use of 13 parking spaces on an adjacent 1.17 acre parcel at 249 Indian Creek Road.  
**ZONE:** R-15s, Residential District  
**ZONING MAP LOCATION:** 245 Indian Creek Road  
**TAX MAP SECTION/PARCEL:** 0970000000450 & 0970000000440  
**BOROUGH:** Butts Road

Planning Commission recommends that **PLN-SITE-2017-004** be **APPROVED** with the following stipulations: (8-0; Van Laethem/Johnson)

1. The applicant/owner agrees to abide by the Cooperative Parking Agreement dated January 5, 2015.
2. The applicant/owner shall install and maintain the landscaping shown on the Landscape Plan by Renew the Bay, LLC, dated August 8, 2016. Such landscape materials shall be installed within 60 days of the date of approval of this preliminary site plan by the Planning Commission and shall be subject to the review and approval of the Landscape Coordinator.

3. The applicant/owner shall obtain a Run-off Control Permit from the Department of Public Utilities prior to commencing any land disturbing activities.

10. **PLN-TXT-2017-005**
An Ordinance amending Appendix A of the City Code, entitled “Zoning,” Article 13, Sections 13-601 and 13-602 thereof, to amend the definition of small cells to reflect changes in state law; add the definition of “micro-wireless facilities;” provide that small cells administrative review may include up to 35 small cells; amend the small cells administrative review to remove conflicts with statutory requirements; add the fee structure limitations for small cell administrative review and exempt micro-wireless facilities from permits and fees if they are in compliance with national safety codes; all as required by changes to state law enacted by the 2017 session of the General Assembly.

Planning Commission recommends that **PLN-TXT-2017-005, version dated September 8, 2017**, be **APPROVED**. (8-0; Van Laethem/Johnson)

11. **PLN-TXT-2017-006**
An Ordinance amending Appendix A of the City Code, entitled “Zoning,” Article 1, Sections 1-201, 1-300, and 1-506; Article 3, Sections 3-302 and 3-403; Article 4, Section 4-229; Article 5, Sections 5-100 and 5-600; Article 6, Sections 6-100, 6-302, 6-402, 6-602, 6-802, 6-1002, 6-1202, 6-1302, 6-1402, 6-1502, 6-1602, 6-1702 and 6-1802; Article 7, Sections 7-100, 7-302, 7-401, 7-402, 7-502, 7-511, 7-512, 7-513, 7-601, and 7-602; Article 8, Sections 8-100, 8-302, 8-401, 8-601, and 8-602; Article 9, Sections 9-100, 9-302, 9-402, 9-501, and 9-502; Article 10, Sections 10-100, 10-402, 10-452, and 10-601; Article 11, Sections 11-100, 11-601, 11-603, 11-801, 11-902, 11-905, 11-907, 11-908, 11-909, 11-1001, 11-1002, 11-1104, and 11-1105; Article 12, Sections 12-201, 12-203, 12-501, 12-606, and 12-607; Article 13, Sections 13-201, 13-401, 13-903, 13-2203 and 13-2302; Article 14, Sections 14-302 and 14-706; Article 15, Section 15-104; Article 16, Sections 16-102, 16-105, 16-106, 16-201, and 16-202; Article 17, Sections 17-104 and 17-106; Article 18, Section 18-303; Article 19, Sections 19-202, 19-205, 19-406, 19-601, 19-610, 19-702, 19-704, 19-706, 19-708, 19-709, 19-710, 19-711, and 19-803; and Article 20, Sections 20-102, 20-401 and 20-704 to fix clerical errors, update statutory references and correct inconsistencies within the City Code.
Planning Commission recommends that PLN-TXT-2017-006, version dated October 5, 2017, be **APPROVED**. (8-0; Van Laethem/Johnson)

H. Public Hearing Regular Items

12. **PLN-USE-2017-035**  
**PROJECT:** Apple Tree Learning Center #1001  
**APPLICANT:** Apple Tree Kids  
**PROPOSAL:** A conditional use permit to allow a childcare center on a 1.23 acre parcel.  
**ZONE:** PUD, Planned Unit Development  
**ZONING MAP**  
**LOCATION:** 1141 Executive Boulevard  
**TAX MAP SECTION/PARCEL:** 0373002000130  
**BOROUGH:** Washington  

(This item was approved for concurrent advertising and will be heard by City Council on October 17, 2017)

Planning Commission recommends that **PLN-USE-2017-035** be **APPROVED** with the following stipulations: (8-0; McCormick/Ellis)

1. The applicant/owner agrees to install 6 foot wide man-gates with a Knox Box systems lock approved by the Fire Chief, or designee, which will allow entry by emergency service providers and their equipment, at both ends of the fenced play area as shown on the site plan on file with the Planning Department. Said gates shall be installed prior to initiation of the use and shall be maintained for the duration of the use.

2. The applicant/owner agrees to provide a fire lane that complies with the current Fire Code and to mark the lane as required by Title 19 of the Public Facilities Manual. Compliance with the Fire Code shall be determined by the Fire Marshal or designee, and compliance with the Public Facilities Manual shall be determined by the Director of Development and Permits or designee. The fire lane shall be subject to review and approval by the named City parties and shall be completed prior to the issuance of a Fire Code Operational Permit by the Fire Department.

3. The applicant/owner shall comply with all requirements of the Chesapeake City Code, Chesapeake Zoning Ordinance and the Virginia Code, 1950 as amended.
13. **PLN-REZ-2016-033**  
**PROJECT:** Shoppes at SoNo  
**APPLICANT:** Dominion Life Neighborhood Redevelopment and Revitalization, LLC  
**AGENCY:** Lentz Law Group  
**PROPOSAL:** A conditional zoning reclassification of approximately 12.82 acres from B-2, General Business District, to B-5, Urban Business District.  
**PROPOSED COMP LAND USE / DENSITY:** Mixed Use that includes commercial and multi-family residential with 10.14 dwelling units per acre.  
**EXISTING COMP LAND USE / DENSITY:** Business/Commercial  
**ZONING MAP LOCATION:** 2307 Bainbridge Boulevard  
**TAX MAP SECTION/PARCEL:** 1390000001910  
**BOROUGH:** South Norfolk  

Planning Commission recommends that **PLN-REZ-2016-033** be **DENIED**. (7-0-1; McCormick/Van Laethem, Ellis abstained)

14. **PLN-USE-2017-010**  
**PROJECT:** Shoppes at SoNo  
**APPLICANT:** Dominion Life Neighborhood Redevelopment and Revitalization, LLC  
**AGENCY:** Lentz Law Group  
**PROPOSAL:** A conditional use permit for a height exception to construct a 75 foot tall building instead of 35 foot as allowed in the proposed B-5, Urban Business District.  
**ZONE:** B-5, Urban Business District (proposed)  
**ZONING MAP LOCATION:** 2307 Bainbridge Boulevard  
**TAX MAP SECTION/PARCEL:** 1390000001910  
**BOROUGH:** South Norfolk  

Planning Commission recommends that **PLN-USE-2017-010** be **DENIED**. (7-0-1; McCormick/Van Laethem, Ellis abstained)
15. **PLN-REZ-2016-014**  
**PROJECT:** Fernwood Chase  
**APPLICANT:** Allen J. Gordon Trust and SAS Associates  
**AGENCY:** Williams Mullen  
**PROPOSAL:** A conditional zoning reclassification of approximately 92.1 acres from A-1, Agricultural District, B-4, Highway Business District, and R-15s, Residential District, to R-MF1, Multifamily Residential District (30.4 acres more or less), B-1, Neighborhood Business District (1.4 acres more or less) and C-1, Conservation District (60.3 acres more or less).  
**PROPOSED COMP LAND USE / DENSITY:** Low Density Residential/3.23 dwelling units per acre and Business/Commercial  
**EXISTING COMP LAND USE / DENSITY:** Low Density Residential/Less than 8 dwelling units per acre and Business/Commercial  
**ZONING MAP LOCATION:** Southeast corner of the intersection of Great Bridge Boulevard and Fernwood Farms Road  
**TAX MAP SECTION/PARCELS:** 0360000000990, 0360000000980, 0360000001000, and 0360000000981  
**BOROUGH:** Washington  
(Continued 30 days from the September 13, 2017 Planning Commission Public Hearing)

Planning Commission recommends that **PLN-REZ-2016-014** be **APPROVED** with the following proffers: (5-3; Perry/Johnson, Williams, McCormick, and Gilbert opposed)

1. The applicant/owner agrees that the development of the property shall be limited to two and three story attached condominiums and neighborhood business (B-1) uses as depicted on the conceptual site plan dated September 10, 2017, prepared by Timmons and on file with the Planning Department. Development of the subject property shall be limited to 224 three story attached condominiums, 69 two story attached condominiums, and 15,000 square feet of gross floor area in the B-1 zone, as approved by the Director of Planning or designee.

2. Prior to the issuance of the first certificate of occupancy, the owner/applicant agrees to create an Owner’s Association and record private covenants and deed restrictions to adopt certain Design Standards and to own and maintain all open spaces, landscape buffers, and stormwater management features as depicted on the conceptual site plan dated September 10, 2017. The Design Standards at a minimum shall include items a and b listed below. The enforcement of the architectural and design requirements shall be the sole responsibility of the Owner’s Association.
a. The owner/applicant agrees that the materials to be used on the front, sides and rear of all two and three story attached condominium structures shall consist of brick, masonry (stone) cement based siding or high quality vinyl siding or substantially similar material, as determined by the Director of Planning, or designee. Vinyl siding shall be a minimum .044 inch thick lapped or beaded siding only. Dutch lap siding shall not be permitted.

b. The owner/applicant agrees that only architectural style shingles shall be permitted; 3-tab shingles shall be prohibited.

3. The applicant/owner agrees that the two and three story attached condominium units shall be consistent with the building elevations dated March 15, 2017, on file with the Planning Department. Furthermore, the garages for the two-story attached condominium shall not extend beyond the front porch roof line. The terms of this proffer shall be subject to the review and approval by the Planning Director or designee.

4. The applicant/owner agrees to make a cash contribution to the City of Chesapeake for Capital Improvements to public school facilities, public transportation, public libraries, and public emergency service facilities. The amount of the voluntary cash contribution shall be $1,608 per dwelling unit. The applicant/owner agrees to make the proffered cash contribution prior to the issuance of a certificate of occupancy for each residential dwelling unit. 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 contribution shall be allocated as follows: Schools $685; Transportation $335 Libraries $351; Emergency Services $237.

5. The applicant/owner agrees that vehicular access to the development will be limited to Fernwood Farms Road consistent with the conceptual site plan dated September 10, 2017.

6. The applicant/owner agrees to record, at no cost to the City, a 5’ non-ingress/egress easement for the subject property’s entire frontage along Great Bridge Boulevard and Fernwood Farms Road, except for City-approved entrances, subject to the approval of the Director of Development and Permits, or designee for alignment and sufficiency. The non-ingress/egress easement shall be recorded prior to the approval of a final site plan for the property.
7. The applicant/owner agrees to dedicate, at no cost to the City, ½ of the remaining 120’ ultimate width for Great Bridge Boulevard on the subject property prior to the approval of a final site plan. The alignment and sufficiency of the dedication shall be subject to the review and approval of the Director of Development and Permits, or designee.

8. The applicant/owner agrees to construct a city-standard pedestrian sidewalk, at no cost to the City, along the subject property’s frontage on Fernwood Farms Road. The location and construction of the pedestrian sidewalk shall be subject to the review and approval of the Director of Development and Permits or designee. Prior to issuance of a building permit for any residential unit on the property, the applicant/owner shall submit a site plan reflecting the sidewalk and construction of the sidewalk shall be completed prior to issuance of any certificate of occupancy on the property.

9. The applicant/owner agrees to construct a concrete pedestrian walkway, at no cost to the City, to connect the proposed development to the Rivercrest Community Center according to a plan approved by the Director of Parks and Recreation. The specific location of the pedestrian walkway shall be approved by the Director of Parks and Recreation. The walkway shall be a minimum of 5 feet in width and shall be completed prior to the issuance of the first certificate of occupancy for the attached condominiums immediately adjacent to the eastern property lines.

10. The applicant/owner agrees that each individual community within the development will be distinguished from other communities through the use of unique entrance identification features with brick masonry walls, stone wall facings, and cast ornamentation logos with lighting and landscaping. All exterior signage will be consistent in design throughout the communities and will blend harmoniously with the architectural themes presented on the homes and building schemes. Exterior signage features shall include brick masonry walls, stone or brick wall facings and cast ornamentation community logos which will be highlighted by lighting and landscaping in excess of the requirements of the Zoning Ordinance as depicted on a landscape plan subject to the review and approval of the Landscape Coordinator. Other than review of the landscape plan, the provisions of this proffers shall be subject to the review and approval of the Director of Planning or designee. The landscaping and signage referenced herein shall be installed and completed before the issuance of the first certificate of occupancy for each individual community.
The applicant/owner agrees to install the following streetscapes and landscaping as generally depicted on the conceptual site plan dated September 10, 2017, prior to the issuance of the first certificate of occupancy unless otherwise provided for below. All landscaping and streetscapes shall be subject to the review and approval of the Landscape Coordinator.

a. The frontage along Great Bridge Boulevard shall contain a variable width landscape buffer with a minimum width of 15’. This buffer will contain deciduous, flowering and evergreen plantings that exceed the planting requirements of a Buffer Yard “F” by 30%.

b. The frontage along Fernwood Farms Road shall contain a variable width landscape buffer with a minimum width of 15’. This buffer will contain deciduous, flowering and evergreen plantings that exceed the planting requirements of a Buffer Yard “F” by 30%.

c. The eastern and southern property lines, which are adjacent to the existing residential neighborhoods, shall contain variable width buffers as provided below. The eastern property line shall contain a minimum buffer of 40’ wide and shall contain evergreen plantings and deciduous trees to provide a visual screen between the proposed development and the existing residences that exceed the planting requirements of a Buffer Yard “C” by 30% with no fence or wall. The applicant/owner agrees to prepare a tree survey along the eastern property line and shall preserve as many of the existing tress within the 40’ buffer as possible pursuant to the tree survey subject to the review and approval of the Landscape Coordinator. The southern property line shall contain a minimum buffer of 20’ and shall contain evergreen plantings and deciduous trees to provide a visual screen between the proposed development and the existing residences that exceed the planting requirements of a Buffer Yard “C” by 30% with no fence or wall. These buffers will be installed prior to the issuance of the first certificate of occupancy for the attached condominiums immediately adjacent to the southern and eastern property lines.
11. The applicant/owner agrees to complete the following road improvements at no cost to the City, all of which shall be subject to the review and approval of the Director of Development and Permits or designee, prior to the issuance of the first certificate of occupancy:

a. Intersection of Fernwood Farms Road, Great Bridge Boulevard, and Wickford Drive ("the intersection").

   i. The intersection shall be upgraded to provide crosswalks and pedestrian signalization.

   ii. The existing traffic light at the intersection shall be modified to provide split phases for Fernwood Farms Road and Wickford Drive.

   iii. Improvements shall be made to eastbound Fernwood Farms Road to provide dual left turning movements onto Great Bridge Boulevard by creating 1 left turn lane, 1 left-thru lane, and 1 right turn lane.

b. The applicant/owner agrees to widen Fernwood Farms Road for the purpose of providing a second left turn lane onto Great Bridge Boulevard 12’ in width, at no cost to the City. Further, the applicant/owner agrees to construct a 12’ left turn lane on Fernwood Farms Road into the subject property to align with the entrance closest to Great Bridge Boulevard. The alignment and sufficiency of the road widening and left turn lane shall be subject to the review and approval of the Director of Development and Permits. The road widening and left turn lane shall be completed prior to the issuance of the first certificate of occupancy. The applicant/owner agrees to dedicate, at no cost to the City, right of way along the subject property’s frontage on Fernwood Farms Road to accommodate the improvements proposed above. The alignment and sufficiency of the dedication shall be subject to the review and approval of the Director of Development and Permits or designee. Said dedication, unless otherwise approved by the Director, shall be made prior to final site plan approval.
12. A conceptual site plan, 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.

13. The applicant/owner agrees that the 60 +/- acre portion in the rear of the property that is proposed to be rezoned to C-1, as shown on the conceptual plan dated September 10, 2017, shall remain a conservation area and shall be preserved in its natural state in perpetuity. The Owners’ Association shall be responsible for preserving the natural state of the 60 acres subject to enforcement by the Zoning Administrator for compliance with this proffer.

14. The applicant/owners agrees to relocate tax parcel 03600000001010’s ingress and egress to Fernwood Farms Road across the internal private streets to be constructed on the subject property. The relocation shall be completed prior to the recordation of the non-ingress/egress easement referenced in proffer #6.

16. The applicant/owners agrees to construct a stormwater management system which shall, in the determination of the Director of Development & Permits or designee, attenuate the post-development peak rate of runoff, during the 10-year design rainfall event, from the portion of the property to be rezoned to RMF-1, to not more than 80% of the pre-development rate of runoff from said portion of the property. The storm water management system shall be completed as required by Director of Development & Permits or designee and in accordance with the requirements of the Chapter 70 of the Chesapeake City Code.
16. **PLN-TXT-2017-001**
An Ordinance amending Appendix A of the City Code, entitled “Zoning,” Article 14, Section 14-302 thereof, to amend the parameters defining when a child-care establishment requires a conditional use permit as a Level II Home Occupation and to amend the standards of operation applied to all Level II Home Occupations.

*(Continued 60 days from the August 9, 2017 Planning Commission Public Hearing)*

Planning Commission recommends that **PLN-TXT-2017-001**, version dated September 26, 2017, be **APPROVED**.

(8-0; Van Laethem/Gilbert)

17. **PLN-2232-2017-002**
**PROJECT:** Joint Juvenile Justice Center
**APPLICANT:** City of Chesapeake
**DEPARTMENT:** City Manager
**PROPOSAL:** Construction of new Joint Juvenile Justice Facility to serve City of Chesapeake and Commonwealth of Virginia juvenile detention programs.
**ZONE:** A-1, Agricultural

*(Continued 60 days from the August 9, 2017 Planning Commission Public Hearing)*

Planning Commission recommends that **PLN-2232-2017-002** be **DENIED**.

(8-0; Van Laethem/Johnson)

18. **PLN-2232-2017-003**
**PROJECT:** Joint Juvenile Justice Center Public Utilities Extension
**APPLICANT:** City of Chesapeake
**DEPARTMENT:** City Manager
**PROPOSAL:** Extension of public utilities to serve the proposed Joint Juvenile Justice Center
**ZONE:** A-1, Agricultural

*(Continued 60 days from the August 9, 2017 Planning Commission Public Hearing)*
Planning Commission recommends that PLN-2232-2017-003 be APPROVED based on the findings contained in the August 2, 2017, staff report, and that the proposed extensions are in substantial conformance with the City’s adopted Comprehensive Plan. (4-4; Ellis/Van Laethem, McCormick, Perry, Johnson, and Gilbert opposed)

Due to the tie vote, the application is CONTINUED to the next regularly scheduled meeting on November 8, 2017.

I. Planning Director Items: None

J. Unfinished and New Business
   - Motion to cancel October 25, 2017 Public Hearing meeting.
   - Approved by unanimous consent

K. Adjournment: 11:37 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 (Cox Cable channel 48 and Verizon Cable channel 43) and re-televised Wednesday, October 11, 2017 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 November 8, 2017. 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.

*Information contained in this agenda is compatible with the following browsers: Internet Explorer 11, Firefox 37, Safari 8 (Mac OS X 10.10), Google Chrome 42 (Windows Only), or Opera 29.

**For complete application information, click on the application’s PLN number and then select the arrow next to More Details.