SUFFOLK PLANNING COMMISSION
AGENDA FOR
JUNE 16, 2020

PREPARED BY THE CITY OF SUFFOLK DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
DAVID HAINLEY, DIRECTOR

THE REGULAR MEETING WILL BE HELD AT 2:00 P.M. IN THE SUFFOLK CITY COUNCIL CHAMBERS OF THE CITY HALL BUILDING

IF YOU CANNOT ATTEND OR NEED SPECIAL ACCOMODATIONS AT THE MEETING, PLEASE CALL THE CITY OF SUFFOLK DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT AT (757) 514-4060 PRIOR TO 12:00 NOON ON FRIDAY, JUNE 12, 2020.

HOWARD C. BENTON
CHAIRMAN

Suffolk
VIRGINIA
It's a good time to be in Suffolk

AGENDA

SUFFOLK PLANNING COMMISSION

June 16, 2020

2:00 P.M.

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1. Call to Order

   A. Invocation

   B. Roll Call

2. Approval of minutes from previous meeting

3. Public Hearings:

   A. **REZONING REQUEST, RZN2019-010, (Conditional), Harbour View Parcel 11:** submitted by Melissa Venable, Land Planning Solutions, agent, on behalf of Scott Overton, Suffolk Towers LLC, applicant and property owner, in accordance with Sections 31-304 and 31-305 of the Unified Development Ordinance, to rezone and amend the official zoning map of the City of Suffolk to change the zoning from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district, for property located at 6808 Harbour View Boulevard, Zoning Map 6, Parcel 2J*C. The affected area is further identified as being located in the Nansemond Voting Borough, zoned O-I, Office-Institutional Zoning District. The 2035 Comprehensive Plan designates this area as part of the Northern Growth Area, Mixed Use Core Use District.

   B. **CONDITIONAL USE PERMIT REQUEST, CUP2019-016, Commercial Stable, 4200 Lake Point Road:** submitted by Pamela W. and Scott Troutman, Sr., applicants and property owners, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a Stable, commercial, on property located at 4200 Lake Point Road, Zoning Map 16, Parcel 24. The affected area is further identified as being located in the Holy Neck Voting Borough, zoned RE, Rural Estate zoning district. The 2035 Comprehensive Plan designates this area as part of the Rural Agricultural Use District.

   C. **CONDITIONAL USE PERMIT REQUEST, CUP2020-001, 126 W. Washington Street Indoor Amusement Center:** submitted by Christopher Mayes, Party Time Entertainment LLC, applicant, on behalf of Cynthia Ives, SVN Lead Commercial, agent, on behalf of Washington Lofts, LLC, property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish an

Amusement/entertainment/recreation center, indoor, on property located at 126 W. Washington Street, Zoning Map 34G18(A), Parcel 303. The affected area is further identified as being located in the Suffolk Voting Borough, zoned CBD, Central Business District. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Mixed Use Core Use District.

D. **CONDITIONAL USE PERMIT REQUEST, CUP2020-002, 153 W. Washington Street Indoor Amusement Center:** submitted by Brian S. Stewart, 153 West Washington LLC, applicant and property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish an Amusement/entertainment/ recreation center, indoor, on property located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A. The affected area is further identified as being located in the Suffolk Voting Borough, zoned CBD, Central Business District. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Mixed Use Core Use District.

E. **EXCEPTION REQUEST, CEX2020-001, 2882 Cross Landing Drive:** submitted by Bobby Reed, Parker Crossing, Inc., applicant, on behalf of Robert A. and Donna Park, property owners, in accordance with Section 31-415 of the Unified Development Ordinance, to grant an Exception to the development criteria and buffer area requirements of the Chesapeake Bay Preservation Area to permit a black aluminum fence to encroach into the 100-foot Resource Protection Area buffer, on property located at 2882 Cross Landing Drive, Zoning Map 26F, Parcel RB*88. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned PD, Planned Development Overlay District. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Suburban Use District.

4. Old Business

5. New Business

A. Status Report – City Council Meeting, February 5, 2020 and February 19, 2020

B. Status Report - Preliminary Plats Approved

C. Discuss Possible Steps to Address the Backlog of Cases

D. Motion – A motion to schedule a special Planning Commission meeting for July 7, 2020

6. Commissioner's Comments

7. Adjournment

MINUTES

SUFFOLK PLANNING COMMISSION

January 21, 2020

2:00 P.M.

The meeting of the Suffolk Planning Commission was held on Tuesday, January 21, 2020, at 2:00 p.m., in the Council Chambers of the Municipal Building, 442 W. Washington Street, Suffolk, Virginia, with the following persons present:

MEMBERS:	STAFF:
Howard Benton, Chairman	Helivi Holland, City Attorney
Arthur Singleton	David Hainley, Dir. of Planning & Com. Dev.
Oliver Creekmore	Robert P. Goumas, Assistant Dir. of Planning
John Rector	Kevin Wyne, Current Planning Manager
Anita Hicks	Grace Braziel, Planner I
Johnnie Edwards	Holly Steele, Planner I
Kittrell Eberwine	Amy Bocchicchio, Principal Planner
Mills Staylor	Catina Myrick, Administrative Analyst

The meeting was called to order by Chairman Benton and Commissioner Creekmore opened with a prayer. The roll was called by Mr. Hainley and the Chairman was informed that a quorum was present.

APPROVAL OF MINUTES:

The minutes of the previous meeting were approved as written.

PUBLIC HEARINGS:

REZONING REQUEST, RZN2019-012, (Conditional), Factory Street: submitted by Whitney G. Saunders, Saunders & Ojeda P.C., agent, on behalf Goodman Square,

LLC, and Goodman Developers, Inc., property owners, in accordance with Sections 31-304 and 31-305 of the Unified Development Ordinance, to rezone and amend the official zoning map of the City of Suffolk to change the zoning from M-2, Heavy Industrial zoning district, to RU, Residential Urban zoning district, and B-2, General Commercial zoning district, for property located at 611 and 711 Factory Street, Zoning Map 35H(3), Parcels X14, X*14A, and X17. The affected area is further identified as being located in the Whaleyville Voting Borough, zoned M-2, Heavy Industrial zoning district. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Core Support Use District.

The first item of business was introduced by the Chairman followed by a staff report by Amy Bocchicchio, Principal Planner. Mrs. Bocchicchio stated that this conditional rezoning request proposed to rezone three (3) parcels of land that are currently zoned M-2, Heavy Industrial zoning district, to a combination of RU, Residential Urban zoning district, and B-2, General Commercial zoning district. Under the proposed RU zoning district for the rear parcels, a maximum of 10.9 units per acre would be permitted, thus the site could potentially be developed with up to fifty (50) dwelling units; however, the applicant proffered a maximum of twenty-three (23) single-family detached dwellings. The applicant also voluntarily proffered various design elements for the proposed single-family dwellings. The applicant did not proffer specific uses for the proposed B-2 zoned parcel; however, they did proffer a maximum square footage for the commercial space of 17,000 square feet. The subject property is located within the Core Support Use District, which is intended to provide residential and retail and business activity to support the Mixed Use Core. The applicant

proffered twenty-three (23) dwelling units on 4.66 acres, which equates to a density of 4.9 units to the acre which falls well below the minimum recommended density and the project would be comprised of single-family detached dwellings only, which are in abundance in the Orlando neighborhood. A rezoning to a denser residential zoning district and a plan of development containing a mix of housing types other than single-family detached would be more consistent with the 2035 Comprehensive Plan and it would offer more diverse housing options for this community. If the front parcel, 35H(3)X17, is rezoned to the B-2 district, a variety of potentially high impact land uses would be permitted by-right; such as: major automobile repair, restaurants with drive-through, convenience stores with gasoline sales, vehicle sales, contractor shops, etc. These uses have the potential to generate significant traffic and noise that may be incompatible to the homes fronting along Factory Street. Since the subject properties have sat idle for many years, a rezoning application which would promote redevelopment in this area would be beneficial for the City; however, the rezoning should consist of the appropriate density and form of development that is both compatible to the adjacent land uses and is consistent with the principles and objectives outlined within the Comprehensive Plan. With regards to adequate public facilities, there is adequate water and sewer available to serve the site. The Public Works Engineering and Traffic Engineering Department have no major concerns regarding

stormwater or ingress/egress. Based on the Student Generation Rates of the UDO, twenty-three (23) single-family detached dwellings would generate five (5) elementary school students, two (2) middle school students, and three (3) high school students. The parcels included in this request are currently located in the Booker T. Washington Elementary School, Kings Fork Middle School, and Lakeland High School attendance zones. Based on current school enrollment figures and the anticipated students to be generated by committed development, there are surpluses in capacity at all school levels to accommodate the additional students that would be generated as a result of this rezoning. Therefore, no advancement in school capacity is needed. In summary, the proposed rezoning and associated proffers do not comply with the recommended densities and uses in the Core Support Use District as designated by the 2035 Comprehensive Plan. The proposed residential density of 4.9 units per acre is well below the recommended 13-24 units per acre in the Core Support Use District. Further, this Use District calls for a mix of housing types and the Orlando Neighborhood is mostly comprised of single-family dwellings. In addition, the locational criteria for the B-2 zoning district is not met and there is concern regarding the compatibility of B-2 zoning at this location. For these reasons, staff recommended denial of this application. The public hearing was opened and speaking in favor of this application was Whitney Saunders, 705 W. Washington Street, Suffolk, VA. They asked for the Commission's

approval of this application. This project would have some positive effect on a community that has been left without any positive activity occurring within it for decades.

Also, speaking in favor of this application was Deacon Pitts, Greater First Baptist Church Orlando, 600 Factory Street, Suffolk, VA – he advised that the neighborhood needs affordable housing, it would be an asset to the community.

Also, speaking in favor of this application was Clayton Smith, Resident of the Orlando Community – he stated that this project would be an advantage to the area.

Also, speaking in favor of this application was Betty Montgomery, Assistant Pastor Greater First Baptist Church Orlando, 600 Factory Street, Suffolk, VA – she asked for the Commission's approval of this application.

Also, speaking in favor of this application was Samuel Body, Jr. – he advised that this project would help the community.

Also, speaking in favor of this application was Mr. Ephraim Goodman, applicant. He advised that he once lived in this community and he wants to help revitalize it. He asked for the Commission's approval of this project.

There being no speakers in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Rector made a motion to approve this application with the proffers, seconded by Commissioner Singleton and passed by a recorded vote of 8 to 0.

CONDITIONAL USE PERMIT REQUEST, CUP2019-018, Celebration Christian Church: submitted by William B. Gross, Celebration Christian Church, applicant, on behalf of Jack Russell Management, LLC, property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a Place of Worship, small, under 6,000 square feet in main sanctuary, on property located at 2484 Pruden Boulevard, Zoning Map 25A(7), Parcels B*1 and B*2. The affected area is further identified as being located in the Suffolk Voting Borough, zoned B-2, General Commercial zoning district. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Inner Ring Suburban Use District.

The next item of business was introduced by the Chairman followed by a staff report by Holly Steele, Planner I. Ms. Steele stated that this is a request for a conditional use permit in order to establish a place of worship. The applicant proposed to improve the parking lot on this parcel and locate 9 more parking spaces in order to meet the 25 minimum parking spaces required by the UDO for religious assemblies, as a minimum of one space per 4 seats in the sanctuary is required and the proposal includes a sanctuary with 100 seats. The existing building is currently vacant, but was previously used as two separate office suites. The applicant proposed to convert the western half of the 4,200sf building into a sanctuary with seating for 100 people. The eastern portion of the building will remain largely unchanged and will contain bathrooms, a

kitchen, and other miscellaneous rooms. Parking for this use will be met by using the 16 existing spaces on Parcel B*2, along with the gravel lot on Parcel B*1 that will be improved into 9 spaces. If approved, this Conditional Use Permit would allow Parcel B*1 to provide 9 additional parking spaces for the proposed use on Parcel B*2. Both parcels have been included on the application for the Conditional Use Permit. The proposed use will complement the existing character and surrounding land uses located in the Central Growth Area. The Inner Ring Suburban use district is characterized by civic buildings and community facilities such as a place of worship. The proposed use is expected to have similar traffic and parking impacts as other uses located in the vicinity. The Department of Public Works, Traffic Engineering reviewed this proposal and application and had no concerns regarding the proposed use. In summary, the proposed use of a place of worship is similar to and compatible with existing uses in the surrounding area. In addition, this use is supported by the 2035 Comprehensive Plan. Accordingly, staff recommended approval of this application with the conditions noted in the staff report.

The public hearing was opened and speaking in favor of this application was David Taylor, Timmons Group. They asked for the Commission's approval of this application.

There being no speakers in opposition, the public hearing was closed.

Commissioner Singleton made a motion to approve this application with the conditions, seconded by Commissioner Hicks and passed by a recorded vote of 8 to 0.

CAPITAL IMPROVEMENTS PLAN:

Tealen Hansen, Director of Finance, and City staff gave a presentation on the City's Capital Improvements Plan for FY 2021-2030.

Commissioner Singleton made a motion to approve the proposed CIP and forward it to City Council, seconded by Commissioner Creekmore and passed by a voice vote of 8 to 0.

STATUS REPORT:

Mr. Hainley reported on the results of the December 18th City Council meeting.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

PLANNING COMMISSION MEETING January 21, 2020			MT: Rector 2ND: Singleton TO: Approve w/proffers		MT: Singleton 2ND: Hicks TO: Approve w/conditions		MT: Singleton 2ND: Creekmore TO: Approve		MT: 2ND: TO:	
			VOTE: 8-0		VOTE: 8-0		VOTE: 8-0		VOTE:	
			RZN2019-012		CUP2019-018		CIP FY 2021-2030			
	PRESENT	ABSENT	YES	NO	YES	NO	YES	NO	YES	NO
Benton, Howard C.	X		X		X		X			
Creekmore, Oliver	X		X		X		X			
Eberwine, Kittrell	X		X		X		X			
Edwards, Johnnie	X		X		X		X			
Hicks, Anita	X		X		X		X			
Rector, John	X		X		X		X			
Singleton, Arthur	X		X		X		X			
Staylor, Mills	X		X		X		X			

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CITY OF SUFFOLK

442 WEST WASHINGTON STREET, P. O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT

Division of Planning

June 16, 2020

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Rezoning Request, RZN2019-010, (Conditional), Harbour View Parcel 11, submitted by Melissa Venable, Land Planning Solutions, agent, on behalf of Scott Overton, Suffolk Towers LLC, applicant and property owner, in accordance with Section 31-304 and 31-305 of the Unified Development Ordinance, to rezone and amend the official zoning map of the City of Suffolk to change the zoning from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district, for property located at 6808 Harbour View Boulevard, Zoning Map 6, Parcel 2J*C. The affected area is further identified as being located in the Nansemond Voting Borough, zoned O-I, Office-Institutional zoning district. The 2035 Comprehensive Plan designates this area as part of the Northern Growth Area, Mixed Use Core Use District.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Grace Braziel, the staff planner for this case, if you have any questions in advance of the meeting.

Respectfully submitted,

David Hainley,
Director of Planning and Community Development

/ghb

Attachments

STAFF REPORT

DESCRIPTION

REZONING REQUEST: Rezoning Request, RZN2019-010 (Conditional), Harbour View Parcel 11, to rezone and amend the official zoning map of the City of Suffolk to change the zoning from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district, for property located at 6808 Harbour View Boulevard.

APPLICANT: Melissa Venable, Land Planning Solutions, agent, on behalf of Scott Overton, Suffolk Towers LLC, applicant and property owner.

LOCATION: The subject property is located at 6808 Harbour View Boulevard, Zoning Map 6, Parcel 2J*C, Nansemond Voting Borough.

PRESENT ZONING: The subject parcel is zoned O-I, Office-Institutional zoning district.

EXISTING LAND USE: The subject property is approximately 41.3 acres in size and is currently forested land. The property is a part of the Bridgeway Commerce Park.

PROPOSED LAND USE: The applicant is requesting to rezone a portion of the subject property from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district. The applicant proposes to rezone 34.4 acres of the property to RU-12 to build a 237-unit age restricted development. The balance of the property, 6.9 acres located on Harbour View Boulevard is to remain O-I, Office- Institutional zoning district.

SURROUNDING LAND USES:

North- Warehouses and an assisted living facility zoned M-1, Light Industrial zoning district.
South- Vacant land zoned O-I, Office Institutional zoning district.
East- Route 664 and vacant land zoned O-I, Office Institutional zoning district.
West- Nansemond Suffolk Academy and Towne Bank zoned B-2, General Commercial zoning district and residential homes zoned PD, Planned Development Overlay District.

COMPREHENSIVE PLAN: The 2035 Comprehensive Plan designates this area as a part of the Northern Growth Area, Mixed Use Core Use District.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA).

FLOOD PLAIN: The property falls within Flood Zone X (areas of minimal risk), as shown on Panel 0043E of the Flood Insurance Rate Map for the City of Suffolk, Virginia, Community No. 510156, dated August 3, 2015.

CASE HISTORY:

In 1987, City Council approved the Harbour View Planned Development-Housing District, which rezoned properties along the Harbour View Boulevard corridor to a mixture of residential

and commercial zoning. The Planned Development-Housing District included property owned by Dominion Land Management Company immediately to the south of the General Electric Plant. In 1992, Dominion Lands separated from the Harbour View development partnership to establish the Bridgeway Commerce Park, a light industrial park extending from the Nansemond River to Harbour View Boulevard and along the east side of Harbour View Boulevard adjacent to Interstate 664. Suffolk Towers, LLC purchased 298.42 acres in Bridgeway Commerce Park, then sold 163.82 acres of undeveloped property on the west side of Harbour View Boulevard to Bridgeway Limited Partnership, the developers of the Riverfront residential community to the south. The subject parcel remained part of the Harbour View Business Park, which was intended to accommodate general business and light industry.

In 2004, City Council approved Rezoning Request RZ03-03 to rezone properties on the east and west sides of Harbour View Boulevard identified as Bridgeway Commerce Park, which created a new Planned Development Overlay District. The rezoning request also amended the previously approved 'Riverfront Residential Master Plan' as part of the Harbour View Planned Development-Housing District. Since the rezoning established a new Planned Development Overlay District, a jobs-to-housing ratio was established in accordance with Section 31-410 (c) (3) such that 250 square feet of office space is required per dwelling unit.

The subject parcel was rezoned from M-1, Light Industrial zoning district to O-I, Office-Institutional zoning district in 2004 under application RZ03-04. This parcel was part of the overall Bridgeway Commerce Park Master Plan that was rezoned in 2004 to O-I.

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. A notice, containing a copy of the staff report, was also provided to the applicant on June 12, 2020.

STAFF ANALYSIS

ISSUE:

The applicant is requesting to rezone the rear portion of the subject property from OI, Office Institutional zoning district, to RU-12, Residential Urban-12 zoning district, to construct a residential Active Adult development. The age restricted development is to consist of townhomes, 4-plex units, and a multi-family building. The subject property is currently undeveloped and consists mostly of open fields and forested land. Approximately 6.9 acres of the property along Harbour View Boulevard is proposed to remain O-I leaving 34.4 acres to be rezoned to RU-12. Wetlands were identified on the site extending from rear of the property across the southern property line covering approximately 11.69 acres. As presented and proffered by the applicant, the development would yield no more than 237 residential units, which equates to a density of 10.4 units per acre a little less than the maximum of 12 units per acre permitted in the RU-12 zoning district. The proposed RU-12, Residential Urban-12 zoning district, would allow for a significantly lower density than the recommendation of 25-40 dwelling units per acre recommended in the 2035 Comprehensive Plan for the Mixed Use Core Use District.

The applicant has proffered an exhibit that designates a density for different unit types in the proposed age-restricted development and has dedicated acreage for the town green and the conservation area that consist of wetlands. The Proposed Land Use Plan, attached as Exhibit E, proffers a density of 6.3 dwelling units per acre for townhomes, a density of 5.5 dwelling units per acre for 4-plex units, and a density of 31.1 dwelling units per acre for multi-family units. Additionally, a conceptual plan was submitted but not proffered, which shows of the 237 units, 71 units are to be constructed as townhouses, 30 units are to be 4-plex units, and 136 units are to be located in a multi-family building. The conceptual plan is consistent with the proffered acres and density for each unit type.

Lastly, the applicant voluntarily proffered various exterior building façade materials for the proposed age restricted development, such as cultured stone, brick or masonry veneer, and fiber cement building materials. Please refer to the attached proffer statement.

CONSIDERATIONS AND CONCLUSIONS

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance, rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. Supplemental information was provided by the applicant and states that the reason for seeking the proposed rezoning is that Parcel 11 has been designed as an urban Active Adult neighborhood to support the surrounding commercial uses. Commercial parcels have been proposed to remain as O-I fronting Harbour View Boulevard and the main entrance into the site. The narrative provided by the applicant states that it is critical for growth and development in Harbour View to maintain a certain amount of commercial property for research and development, medical offices, retail, civic space, etc. Job creation should be supported by a mix of housing types per the Unified Development Ordinance. This rezoning requests a portion of the site to be rezoned to high density residential to establish and enhance economic diversity and vitality, and create a more efficient pattern of development.

Additionally, the narrative provided by the applicant states that research has indicated several reasons why Office-Institutional land area is becoming less and less attractive in the Hampton Roads Region. Leaving this site in its entirety as O-I would create a vehicle dependent site with no opportunity for place making. A portion of parcel 11 has developed with Bickford Senior Living. Continued growth of commercial is anticipated along the frontage of Parcel 11. To attract a multistory user, the applicant anticipates that the acreage of the site that does not front onto Harbour View Boulevard be rezoned to a residential mix. The Harbour View Blvd. corridor, where medical and retail are accessible by car, foot, or mass transit, is an ideal location for an active adult housing community according to several national and regional standards. The introduction of active adult residential will lend itself to being the support use needed to sustain the commercial development along Harbour View Boulevard and within Northern Suffolk.

1. Comprehensive Plan

According to the 2035 Comprehensive Plan, the subject property is located within the Northern Growth Area, Mixed Use Core Use District. This district is the densest use district. The Mixed Use Core Use District is intended to provide an area for high intensity business, retail, residential, and civic uses. The Northern Mixed Use Core District has significant amounts of greenfield development opportunities that can build on the

successes of the existing high technology businesses. The density and types of uses should encourage walkable mixed use neighborhoods with a vertical orientation. The non-residential uses that can be found within the district include retail in a vertical scale, office, research and development, and civic buildings and community facilities. The housing type that should be found in this district includes multi-family dwellings, such as apartment buildings and condos. The recommended place types include Urban Neighborhoods and Town Centers. Urban neighborhoods generally have buildings that are street oriented with access being located at the rear of building. Additionally, public spaces are encouraged such as greens and parks. Overall, a range of housing types should be provided on small lots at a density of 25-40 dwelling units per acre and a floor area ratio of 2.0-5.0 for non-residential development.

The Comprehensive Plan sets specific themes and policies related to land use, transportation, open space, and the environment that should be considered when contemplating a rezoning application. Relevant to this application are the following:

Policy 2-1: Keep development focused in designated Growth Areas in the City.

- *Action 2-1A: Ensure that the City's land use regulations support higher density/intensity development in focused Growth Areas.*

The overall density of 10.4 units per acre is a little less than the maximum of 12 units per acres for the RU-12 zoning district, but is significantly lower than the Mixed Use Core Use District recommendation of 25-40 units per acre. The applicant has proffered a Proposed Land Use Plan for the subject property that designates a density for each unit type. The applicant has proffered a density of 6.3 dwelling units per acre for the townhomes, a density of 5.5 dwelling units per acre for the 4-plex units, and a density of 31.1 dwelling units per acre for the multi-family building. The overall density for the proposed development of 237 units is not compatible with the Mixed Use Core District; however, broken down by unit type the portion of the property that is to consist of a multi-family building would meet the recommended density with a proposed density of 31.1 units per acre. While the envisioned development of the site overall would not meet the densities established for the Mixed Use Core in the Comprehensive Plan, it is important to note that a portion of the proposed development is consistent with the recommended density for the Use District and would provide a high density development.

Policy 2-3: Promote a balance of residential and non-residential land uses.

- *Action 2-3A: Continue to develop implementation tools that will help achieve an appropriate jobs-to-housing ratio.*
- *Action 2-3B: Continue to promote efforts to facilitate the retention and expansion of office, research and development, and manufacturing activity in Suffolk.*

The applicant has requested to rezone the rear portion of the property from O-I, Office Institutional zoning district, to RU-12, Residential Urban-12 zoning district to construct a 237 age restricted development. The front portion of the property is proposed to remain O-I with the intent to develop that portion of the site for commercial and office uses. The subject property fronts along Harbour View Boulevard, this stretch of Harbour View

Boulevard north of Hampton Roads Parkway consists of property zoned for commercial, office, and light industrial uses. The front portion of the property to remain O-I has the opportunity to be developed into office, medical office, research and development, and civic uses, which is beneficial for the continuation of this part of the commercial and office corridor.

Given a total of 6 developable acres to remain O-I, a maximum floor area ratio of 0.60 permitted in the O-I district, the O-I portion of the property has the potential to accommodate approximately 156,816 square feet of non-residential uses. This translates into the potential to generate approximately 627 jobs. Additionally, the rear portion of the property proposed to be developed as an age restricted residential development would serve to support the commercial and office related uses in the front. Overall, the zoning provides for both commercial and residential uses in this location and contributes toward maintaining the balance of residential and non-residential uses.

Policy 2-4: Promote compatibility in land use patterns.

The applicant has requested to rezone the rear portion of the subject property from O-I zoning to RU-12 zoning. The front portion of the property will remain O-I zoning district to provide the opportunity to utilize the property for commercial and office related uses. The age restricted development is proposed to consist of a higher density multifamily building followed by a lower density 4-plex and townhouse development. The proffered Proposed Land Use Plan shows the multi-family building being street oriented and designates 2.3 acres for a town green which is encourage within an urban neighborhood. The Proposed Land Use Plan also proffers a density of 6.3 dwelling units per acre for the townhomes, a density of 5.5 dwelling units per acre for the 4-plex units, and a density of 31.1 dwelling units per acre for the multi-family building. The front portion of the property to remain O-I zoning district followed by a high density multi-family building oriented to the street would provide a natural transition from Harbour View Boulevard to the rear of the property that would have lower density 4-plex units and townhomes. Additionally, the lot to the northwest of the subject property has an assisted living facility that is similar to and compatible with the proposed Active Adult development.

Policy 6-1: Encourage development of a balanced and diverse housing stock throughout the City.

- *Action 6-1A: Ensure that the City's land use regulations allow for a variety of housing types, such as single-family detached, single-family attached, and multi-family.*
- *Action 6-1J: Allow opportunities for retirement housing.*

The proposed development would provide a variety of three different housing types. The approved development would increase the number of townhouses, 4-plex units, and multi-family units available, which would provide higher density housing and bring better balance and diversity to the City's housing stock. The development would provide a mix of a higher density multi-family building, at approximately 31 dwelling units per acre, followed by a lower density for the townhomes and 4-plex units. Additionally, the

proposed development would allow the opportunity for an age restricted development with a mix of the unit types at different densities.

2. Unified Development Ordinance

The current zoning of the subject property is based on a previously approved Planned Development (PD) and Master Plan, last amended in 2008. As required under Section 31-410(c)(3) of the Unified Development Ordinance, any Planned Development must comply with specific design elements outlined in Table 410-2. One of the requirements for non-residential zoning districts within the PD is that they must maintain a jobs-to-housing ratio of not less than 1.0 and not more than 1.5 employees for each residential dwelling unit within the Planned Development. In the O-I, Office-Institutional zoning district, the number of jobs generated is based on 250 square feet of building area per employee.

As approved under RZ03-03, the previous jobs to housing ratio standard was applied to all residential units proposed to be constructed in the Bridgeway portion of the development. At the time, a minimum of 42,250 square feet of development was required to occur in the O-I district for the construction of an additional 169 residential units. Additionally, RZC2017-004 required an additional 17,500 square feet of O-I floor area to maintain the jobs to housing ratio. Approval of the current request, RZN2019-010, would require an additional 59,250 square feet of O-I floor area to maintain the jobs to housing ratio, for a total of approximately 119,000 square feet of office space. Currently there is approximately 228,700 square feet of constructed buildings within the O-I zoned portions of Bridgeway Commerce Park. When considering existing office space and the potential floor area that could be developed on remaining O-I zoned properties, the required jobs to housing ratio for both the previously approved and proposed dwelling units are satisfied.

The Unified Development Ordinance specifies criteria for the use of RU-12 zoning. The following should be considered when contemplating this rezoning:

Sec. 31-403. RELATION OF ZONING DISTRICTS TO COMPREHENSIVE PLAN AND PURPOSE STATEMENTS.

The purpose statement of the RU-12 zoning district contained in Section 31-403 of the UDO must be considered when contemplating this rezoning. As stated, the RU-12 zoning district is intended as a high density district that allows for a mix of housing types including single family detached and attached dwellings, townhouses, duplexes and apartments at a maximum of twelve (12) dwelling units per acre. This district is designed to provide multi-family buffer zones between commercial/industrial areas. This district is also intended to provide additional housing options and a mix of unit types while maintaining neighborhood compatibility. Lastly, the RU-12 zoning district is intended to be located within the Inner Ring Suburban Use District.

As proposed, the age restricted development at 10.4 units per acre would meet the requested RU-12 zoning but would not meet the recommended density of 25-40 units per acre for the Mixed Use Core Use District. As previously stated, the applicant has

proffered a Proposed Land Use Plan that proffers densities for each unit type proposed for the age restricted development. A portion of the development that is designated for the multi-family building has a proffered density of 31.1 dwelling units per acres which does meet the recommended density of the Mixed Use Core Use District. Additionally, the portion of the site to remain O-I would provide the opportunity to be developed into office, medical office, research and development, and civic uses.

SEC. 31-408. SPECIFIC BASE ZONING DISTRICT CRITERIA.

- *No application for development approval in the RL, RLM, RM, RC, RU, and RU-12 zoning districts shall be approved unless the proposed use and/or development conforms to the requirements of Articles 4, 6, and 7 of this Ordinance.*
- *No subdivision plat shall be approved unless the proposed development is served by the central water system of the City of Suffolk and the central wastewater system of the City of Suffolk, in accordance with Section 31-613 of this Ordinance, and Chapter 90, of the City Code of Suffolk.*

The conceptual plan submitted with this application, which is not proffered, has not been reviewed for compliance with regard to the development regulations in Articles 4, 6 and 7 of the UDO. This development will require full site plan review in accordance with Section 31-307. Compliance with regard to all design and improvement standards, including but not limited to: parks and open space, landscaping, lot and road layout, and connectivity would be verified during site plan review. The Department of Public Works has indicated that there is public water and sewer that serve this site.

3. Adequate Public Facilities

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts, and that each public facility meets or exceeds the Level of Service standards established by the 2035 Comprehensive Plan and the Unified Development Ordinance. No rezoning request should be approved which would cause a reduction in the levels of service standards for any public facility impacted.

Public Water and Sanitary Sewer

City water and sewer are available to serve the site from an existing 12" water main stub and 8" sanitary sewer stub at the entrance to the site form Harbour View Boulevard. During site plan design, a Water Model Capacity Curve will need to be obtained from this Department to determine whether adequate water for fire and domestic demand is available. There is a fee of $400 for the City to perform this model. In addition, the receiving City PS #94/Bridgeway Commerce Park #2 will need to be modeled to determine whether it has sufficient capacity for the additional sanitary sewer flows from this site. There is a fee of $2,000 for the City to perform this model. Any upgrades to the existing pump station as a result of this project will be at Developer expense. Based on the information provided, the Department of Public Utilities has no objections to this rezoning request.

Stormwater Management

The subject parcel is included in an approved storm water master plan. The Department of Public Works, Engineering Division, advises that the overall imperviousness needs to be compatible with the approved Master Plan (73.90% impervious), which is valid under Time Limits of Applicability until 2024. The Department of Public Works has no objections to this rezoning request.

Transportation

The applicant has provided a Traffic Impact Analysis (TIA) as required for a rezoning application. Based on the proposed 237 age restricted multifamily dwellings, 384 a.m. peak trips and 362 p.m. peak trips were estimated to be generated. In total, 2,683 daily vehicular trips are expected to be generated by the development. In comparison, the by-right zoning would generate 536 and 498 trips during am and pm peak hours, and in total 3,782 daily trips. According to the TIA, as currently proposed the development would generate significantly less traffic than the current by-right zoning. Additionally, the Harbour Point Drive and Harbour View Boulevard site entrance is recommended that the westbound leg of intersection include a shared left-through land and an exclusive right turn lane. The Traffic Engineering Division has reviewed the TIA and has no objections to the proposed change in zoning.

Schools

The proposed 237-unit development is an age restricted community 55+; therefore, there is no impact on schools.

4. **Proffered Conditions**

The applicant has voluntarily proffered the following conditions in support of this rezoning request.

1. The exterior building facades:
   - Buildings shall use cultured stone, brick or masonry veneer, and fiber cement as exterior construction materials.
   - Vinyl may be used only as an accent material on the exterior of homes.
   - All roofing shall be architectural shingles.

2. The proposed townhome and 4-plex units shall be age restricted to 55 years and older in accordance with the HUD Standards.

3. The multifamily building of 136 units shall be restricted to 62 years of age and older in accordance with the HUD Standards or 55 years and older in accordance with the HUD Standards.

4. Refer to all improvements recommended within the submitted and approved Traffic Impact Analysis, prepared by McPherson Consulting, dated December 3, 2019.

5. The maximum number of units shall not exceed 237. The site shall be developed in substantial conformance with the proposed Land Use Plan, dated January 9, 2020.

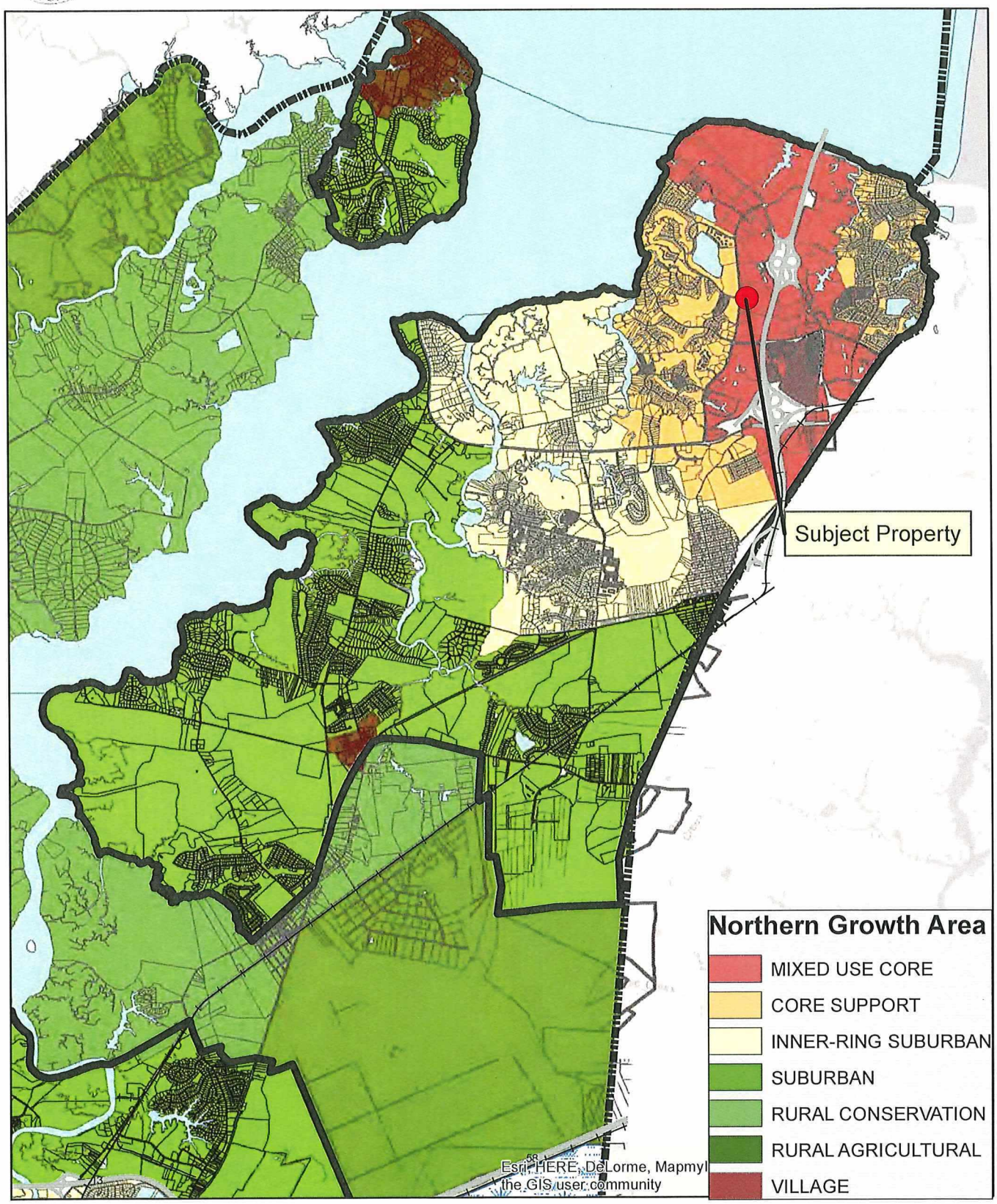
RECOMMENDATION

In summary, staff finds this proposal, Rezoning Request RZN2019-010 (Conditional), meets the intent of the provisions of the 2035 Comprehensive Plan and the Unified Development Ordinance. The proposed development would offer a variety of age restricted housing types at different densities. The front portion of the property to remain O-I zoning district followed by a high density multi-family building would provide a natural transition from Harbour View Boulevard to the rear of the property that would have lower density 4-plex units and townhomes at the rear of the property. Additionally, the proposed development has the potential to generate significantly less traffic than the current by-right zoning as outlined in the submitted Traffic Impact Assessment. Although the provided density falls below the recommended density for the Mixed Use Core established in the Comprehensive Plan, overall the proposal provides for both commercial and residential uses in this location and contributes toward maintaining the balance of residential and non-residential uses. Accordingly, staff recommends **approval** of Rezoning Request RZN2019-010 (Conditional).

Attachments

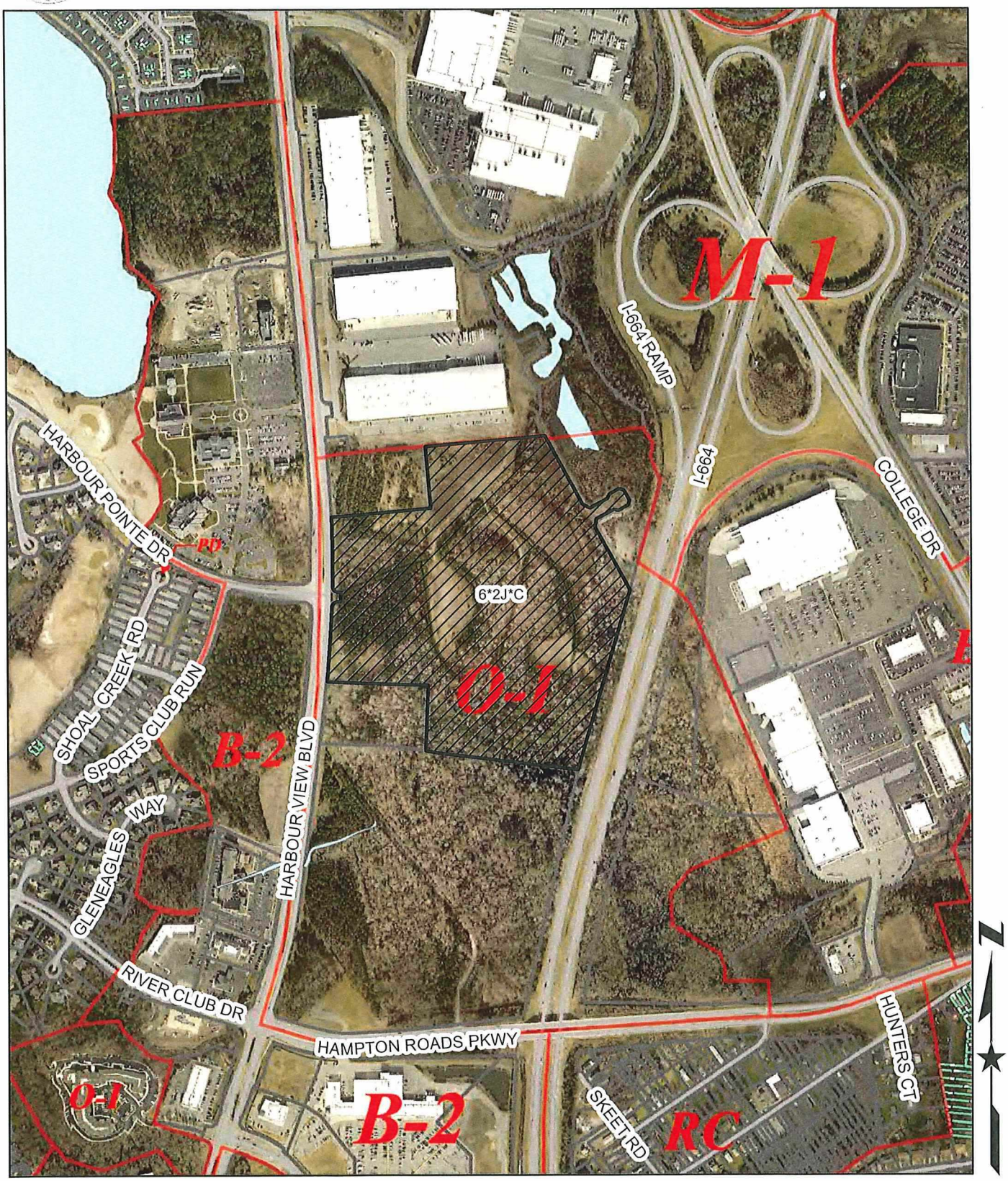
- General Location Map
- Zoning/Land Use Map
- Narrative
- Conceptual Layout
- Proposed Ordinance
- Exhibit A - Planning Commission Resolution
- Exhibit B – Rezoning Proffers
- Exhibit C – Property Map
- Exhibit D – Rezoning Exhibit/Survey
- Exhibit E – Proposed Land Use Plan

GENERAL LOCATION MAP
RZN2019-010



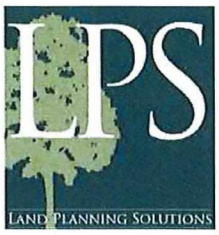
User Name: bsmith
Date: 11/1/2019

ZONING / LAND USE MAP
RZN2019-010



User Name: bsmith
Date: 11/1/2019

Rezoning from O-I Office-Institutional District to RU-12 Residential Urban *(Age Restricted)*



5857 Harbour View Boulevard, Suite 202
Suffolk, Virginia 23435
O. 757.935.9014 F. 757.935.9015
www.landplanningsolutions.com

February 6, 2020

Mr. David Hainley/ and Staff
City of Suffolk
442 W Washington Street
Suffolk, VA 23434

Re: Narrative Description of the property, proposed use, & reason for seeking rezoning
See Appendix A for Historic and Relevant Information
See Appendix B Listings for available Space

PARCEL 11 – SUFFOLK, VIRGINIA
Located in the center of Harbour View, in the City's Northern Growth Area, Parcel 11 is a unique parcel with a current comprehensive plan designation of "Mixed Use Core" and an existing O&I zoning. The site is adjacent to vacant O-I property that extends to the corner of Harbour View Boulevard and Hampton Roads Parkway intended for more intense commercial development. An O&I developed site is to the north, called Bickford Assisted Living and Memory Care. Also to the north is a developed single story M-1 property. This property was previously zoned M-1 but per the 2018 Comprehensive Plan, was zoned to O-I. See Appendix A, Historic and Relevant Information to better understand the previously request for change and other substantial findings.

It is critical for growth and development in Harbour View to maintain a certain amount of commercial property for research and development, medical offices, retail, civic space, etc. It is also appropriate for development to occur in a predictable orderly manner. Job creation should be supported by a mix of housing types per the Unified Development Ordinance. This rezoning requests a portion of the site to be rezoned to high density residential to establish and enhance economic diversity and vitality, and create a more efficient pattern of development.

Our research has indicated several reasons why Office-Institutional land area is becoming less and less attractive in the Hampton Roads Region. Nearly half a million square feet of office space is available today in our region in just a couple of prominent buildings in Norfolk. See Appendix B below for Northern Suffolk vacancies that directly affect the parcel in question. It reflects, a staggering, vacancy of 250,000+/- sq.ft. This does not include, buildings currently under construction. Regional and local vacancies should be considered in both our future planning and through this rezoning process.

Land uses like O-I, Office-Institutional and CP, Commerce Park, are outdated in urban areas. They have become less attractive to large office users, banks and hoteliers looking to expand or relocate. It has become the trend to create a more desirable site with a mix of uses in close proximity. The mix of

uses are essential to successful place making by creating a central core area on site where activities may be programmed for both visitors and residents, creating a place with constant activity and usefulness . This idea and planning theme can give a development a 'main street' feel.
Leaving this site in its entirety as, O-I would create a vehicle dependent site with no opportunity for place making.

As you know, a portion of parcel 11 has developed with Bickford Senior Living. The furthest south parcel of Parcel 11 was previously approved for a hotel user. Continued growth of commercial is anticipated along the frontage of Parcel 11. To attract a multistory user, we anticipate that the acreage of the site that does not front onto Harbour View Boulevard be rezoned to a residential mix.

The location of our proposed active adult community, adjacent to the Bickford Senior Living is advantageous if additional care is eventually sought after, it is conveniently located next door. The Harbour View corridor, where medical and retail are accessible by car, foot, or mass transit, is an ideal location for an active adult housing community according to several national and regional standards. The site will allow for high density uses that fall within the core density (25-40 du/ac.) This can only occur in our Core District. Therefore, the location will allow the proposal to include a Class A, multistory senior living building that will be designed at 31 du/ac. This along with a mix of other products designed specifically for an active adult buyer makes this an ideal location. The site is also easily accessible to and from Route 664 and Route 264. These same points are highlighted in the RCLCO Market Study, Dated December 30, 2019, provided to the City. These findings set this active adult rezoning apart from others we have seen in the past by being more thoughtful in plan, location and study then had been contemplated in previous years.

The zoning designation for this properties frontage and the adjacent properties seem appropriate, specifically along Harbour View Boulevard. Though, the rear of the property that is approximately 30% wetlands, with very little visibility for commercial development does create a difficult situation for commercial growth. However the buffer of wetlands will provide a good back drop for residential development and therefore, allow the site to realize a mix of uses from Harbour View Boulevard to the rear of the property. This would include, O-I, high density residential, medium density residential and conservation area. The introduction of active adult residential will lend itself to being the support use needed to sustain the commercial development along Harbour View Boulevard and within Northern Suffolk. The designation of a portion of Parcel 11 to Urban Residential will support the goals and growth patterns of the Unified Development Ordinance. This includes allowing for opportunities for retirement housing.

According to the 2035 Comprehensive Plan, The Core Support District should provide more housing opportunities that create a larger market area to support the non-residential uses located in the Mixed Use Core District. The proximity of this district to the Mixed Use Core District should shorten travel times, expand travel options, reduce congestion and provide potential transit stops. The site has been designed with an interconnected, walkable network of streets and small blocks in a grid like pattern that feed out to the main connection with Harbour View Boulevard. Our proximity to Harbour Views transit line, will allow us to work with City of Suffolk's Transportation Planning Manager to locate a bus stop area along our frontage.

The housing and commercial property will be designed in a compact, walkable form. The Center of the plan will be walkable and accessible by all uses. The Center will contain a town green with recreation actives, sidewalks, seating areas, and programmable space. These elements mentioned will create an Urban Neighborhood which is called for in the Comprehensive Plan for this property. As we work through the rezoning of Parcel 11, a unique character shall be established for this new Urban Neighborhood. This will be done through a set of standards that will be created; depicting building style

and placement, blocks and site amenities.

The fronts of all the units shall be defined with porches or stoops that lead directly to pedestrian friendly walks. Signage, lighting and open space areas will all work to invite pedestrian activity. Public spaces, along the streetscapes, large greens and smaller gathering areas, tie together the residential unit types and help to create a unique and special place.

The interior villa homes utilize private, shared, drives to provide greater pedestrian connectivity to the pedestrian friendly sidewalks and to the center green and center corridor that lead to the commercial properties along Harbour View. Small side setbacks and narrow lots foster a continuous street frontage. Townhome buildings are placed toward the front of the lot with the rear used for private yards and gardens. The multifamily building proposed follows this design ideal with buildings close to the right-of-way and parking provided behind the buildings.

The diverse product type that is called for in the Urban Neighborhood District averages to be approximately 11 du/ac for this particular site. This is lower then what is called for within the Mixed Use Core District but appropriate to meet the traffic level of service table for Harbour View Boulevard and to meet the requirement for diversity in housing. More intense development would have created a failing condition for traffic and therefore our density had to balance the Cities request for High Density with the request to meet all Levels of Service.

Parcel 11 has been designed as an urban Active Adult neighborhood connecting to the greater mixed use core of Harbour View. Within the site itself, commercial parcels have been proposed to remain as O-I fronting Harbour View Boulevard and the main entrance into the site. These buildings can be used for commercial, retail, civic or institutional uses serving the residents. Residents could easily live in the development and take a short walk to work, shop, and play in the proposed commercial buildings and Center Green. This further supports the City's comprehensive plan and the Urban Neighborhood districts goals of creating less auto dependent neighborhoods.

Sincerely,
Melissa Venable
Land Planning Solutions, Inc

Appendix A
Historic and Relevant Information:

Suffolk Towers, LLC purchased what is now known as Parcel 11C from Dominion Lands in 2003. At that time, 11C was part of approximately 300+/- acres of MI zoned land known as Bridgeway Commerce Park. Dominion's vision for the property was a combination of office warehouse and industrial warehouse consistent with the recorded Covenants and Restrictions. In May of 2003 when Suffolk Towers consummated closing the Commerce Park consisted of three office warehouse buildings - Bridgeway Tech I and II, and Columbia Gas and Sysco Foods Distribution Warehouse.

Shortly after the purchase, and in concert and agreement with the City, Economic Development and consistent with the 2018 Comprehensive Plan, Suffolk Towers and Bridgeway LP joined in a rezoning application to change all but 33 acres of the remaining Towers property (approximately 115) to OI. Given the expectation that modeling, and simulation would become a significant part of the North Suffolk Economy and lead to large scale defense department spending this certainly seemed a reasonable zoning classification that would be well supported in the near and intermediate term.

With the sudden and unexpected change in the modeling and simulation plans as well as the economic challenges experienced by all from 2006 – 2009 the expectation of multi-story office buildings in the Commerce Park has not been met. Since the rezoning, the only multi-story office building constructed in the Commerce Park is the Woodley Building. Suffolk Towers built this 3 story 27,000+/- Sq. ft. building in 2009 and was successful in leasing all three floors to Northrop Grumman for 10 years. Grumman renewed for 5 years in 2019 but reduced its footprint in the building to 2 floors after requesting and receiving rent concessions.

The third floor is now leased at a 25% discount over the prior lease for a period of 5 years. Since the rezoning, Suffolk Towers has not received an offer of substance from any person or company to purchase any of the rezoning property for the purpose of constructing office product of any type. Sales to Hoteliers, a Restauranteur, Lockheed Martin, Liberty Property Trust and Believer's Church (HUB 757) are what have occurred. For this reason, when we learned that the new Comprehensive Plan designates the area within with the Commerce Park lies for higher density residential growth it became clear that it is time to approach the City for a zoning change. We began discussions with the City as to how to implement a plan that incorporates residential units of some density along with meaningful mixed uses to include office, while at the same time keeping levels of service at the forefront of any rezoning request.

Our due diligence provided us with persuasive evidence that a market for age targeted product exists and is underserved in North Suffolk. Both Rose and Womble Realty Company and Weldenfield Rowe have statistical data to support this conclusion. Based upon that evidence and the critical factor that it helped maintain levels of service at below (we believe well below) those that would exist were 11C developed as OI throughout, along with the ability to maintain about 6 acres for mixed use and office product on Harbour View Boulevard makes this rezoning request consistent with and in full service of the Comprehensive Plan. Moreover, the rezoning request is consistent with the goals and objectives of the Comprehensive Plan in which smart growth is always preferred over growth that simply checks every technical box. This plan strikes the perfect balance between achieving the goals of the Comprehensive plan with residential and other mixed-use densities while maintaining levels of service so important to the quality of life in Suffolk.

It is important to note the Suffolk Towers constructed a regional pump station on Parcel 11C, completed the Wetlands Mitigation Bank, and on Parcel 11C alone paid over $400,000 in real estate taxes. In 2016/17, eleven (11) acres were lost to wetlands encroachment despite the dedication of numerous conservation areas and the constructed of 25 acres of forested and planted wetlands mitigation areas. The encroachment will continue absent the ability to begin development of 11C on a large scale in the near term. This is no small investment in the success of Bridgeway Commerce Park, Harbour View, and the City of Suffolk

Apendix B

Listings for available Space as of 2/12/2020:

Available space listed, see reference for further details:

Bridgeport,	100,000 +/-sq.ft.
Bridge Road Office,	47,500+/- sq.ft.
Breezeport Way,	13,500+/-sq.ft.
3565 Bridge Road,	4,900+/-sq.ft.
Champions Way,	12,000+/-sq.ft.
Harbour View,	3,500+/-sq.ft.
Harbour View Grande,	10,000 +/- sq.ft.
Bennett's Creek Crossing, Bridge Road	7,000+/-sq.ft.
Harris Teeter Shoping Plaza Harbour View,	.51,400+/- sq.ft.

Reference; Suffolk, VA Commercial Real Estate for Sale and Lease - LoopNet.com

Recieved February 13, 2020

Residence of Harbour View

Conceptual Layout

Suffolk, Virginia
October 7, 2019

SITE DATA:

Tax Map: 6*2J*C
Property Address: 6808 Harbour View Blvd.
Current Zoning: O-I

Total Site Area: ±41.3 a.c.
Wetlands: ±11.69 a.c.
Net Site Area: ±29.61 a.c.

Acres to remain O-I: ±6.9

Proposed Rezoning to Active Adult RU-12
Acres to be rezoned to RU-12: ± 34.4

Townhomes Provided: 71
4-Plex Units Provided: 30
Multifamily Units Provided: 136
Parking Provided: 174 or 1.3 per
Total Units Provided: 237 Units

welden field & rowe CUSTOM HOMES & NEIGHBORHOODS

G:\Projects\Overton Family Partnership\OFP019 - Parcel 11\Cadd\Preliminary\Preliminary Parcel11 Wet 06 - REZONING SITE PLAN 2019.dwg, Plotted By: Spare-PC, Plotted: Jan 27, 2020 - 3:40pm

ORDINANCE NUMBER _____

AN ORDINANCE TO CHANGE THE ZONING FROM O-I, OFFICE-INSTITUTIONAL ZONING DISTRICT, TO RU-12, RESIDENTIAL URBAN-12 ZONING DISTRICT, FOR PROPERTY LOCATED AT 6808 HARBOUR VIEW BOULEVARD, ZONING MAP 6, PARCEL 2J*C; RZN2019-010 (CONDITIONAL)

WHEREAS, Melissa Venable, Land Planning Solutions, agent, on behalf of Scott Overton, Suffolk Towers LLC, applicant and property owner, has requested to change the zoning from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district, for property located at 6808 Harbour View Boulevard, Zoning Map 6, Parcel 2J*C, which land is depicted on Exhibit "C"; and,

WHEREAS, the proposed rezoning and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the 15th day of July, 2020, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibit "A", "Planning Commission Recommendation" and Exhibit "B", "Rezoning Proffers", Exhibit "C", "Property Map", Exhibit "D", "Rezoning Exhibit", and Exhibit "E", "Proposed Land Use Plan" which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. <u>Findings.</u>

A. Council finds that the proposed rezoning is reasonable, and warranted due to a mistake or change in circumstances affecting the property; and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;

2. the Comprehensive Plan;

3. the suitability of the property for various uses;

4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by population and economic

studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City; and,

13. the expressed purpose of the City's Unified Development Ordinance (UDO) as set out in Section 31-102 of the UDO, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

B. The Suffolk City Council makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 3. Rezoning.

A. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted, as amended.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of the Circuit Court of the City of Suffolk, Virginia.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

EXHIBIT "A"

RESOLUTION NO. 20-06-1

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO REZONING REQUEST RZN2019-010 (CONDITIONAL) TO CHANGE THE ZONING FROM O-I, OFFICE-INSTITUTIONAL ZONING DISTRICT, TO RU-12, RESIDENTIAL URBAN-12 ZONING DISTRICT, FOR PROPERTY LOCATED AT 6808 HARBOUR VIEW BOULEVARD, ZONING MAP 6, PARCEL 2J*C

WHEREAS, Melissa Venable, Land Planning Solutions, agent, on behalf of Scott Overton, Suffolk Towers LLC, applicant and property owner, has requested to change the zoning from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district, and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;

2. the Comprehensive Plan;

3. the suitability of the property for various uses;

4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City;

13. the expressed purpose of the City's Unified Development Ordinances as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended ("Va. Code").

B. The Suffolk Planning Commission makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the request, RZN2019-010 (Conditional), be:

___a. Granted as submitted, and the City Council adopt the proposed Ordinance without modification.

___b. Denied, and that Council not adopt the proposed Ordinance.

___c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND PASSED: _____

TESTE: _____

EXHIBIT B

VOLUNTARY PROFFER STATEMENT

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s) 6,
Block Number 2J, Parcel Number(s) C.

1. The exterior building facades:
- Buildings shall use cultured stone, brick or masonry veneer, and fiber cement as exterior construction materials.
- Vinyl may be used only as an accent material on the exterior of homes.
- All roofing shall be architectural shingles.

2. The proposed townhome and 4-plex units shall be age restricted to 55 years and older in accordance with the HUD Standards.
3. The multifamily building of 136 units shall be restricted to 62 years of age and older in accordance with the HUD Standards or 55 years and older in accordance with the HUD Standards.

4. Refer to all improvements recommended within the submitted and approved Traffic Impact Analysis, prepared by McPherson Consulting, dated December 3, 2019.
5. The maximum number of units shall not exceed 237. The site shall be developed in substantial conformance with the proposed Land Use Plan, dated January 9, 2020.

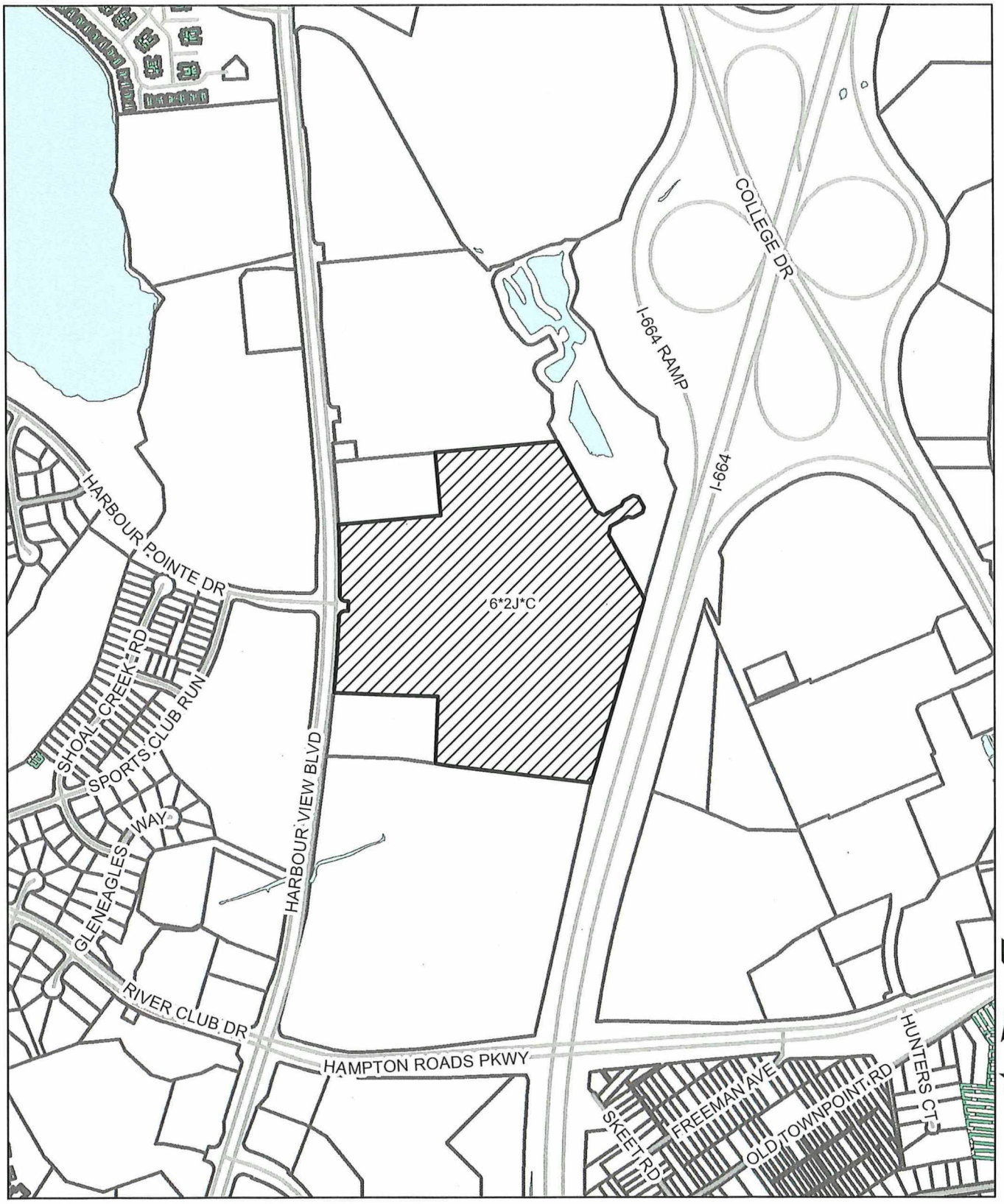
Applicant Signature: _____ Date: _____

Property Owner Signature: _____ Date: 2/27/2020

Property Owner Signature: _____ Date: _____

PROPERTY MAP
RZN2019-010

EXHIBIT C



User Name: bsmith
Date: 11/1/2019

Rezoning from O-I Office-Institutional District to RU-12 Residential Urban *(Age Restricted)*

EXHIBIT D

Recieved February 13, 2020

Residence of Harbour View

Rezoning Exhibit

Suffolk, Virginia
November 25, 2019

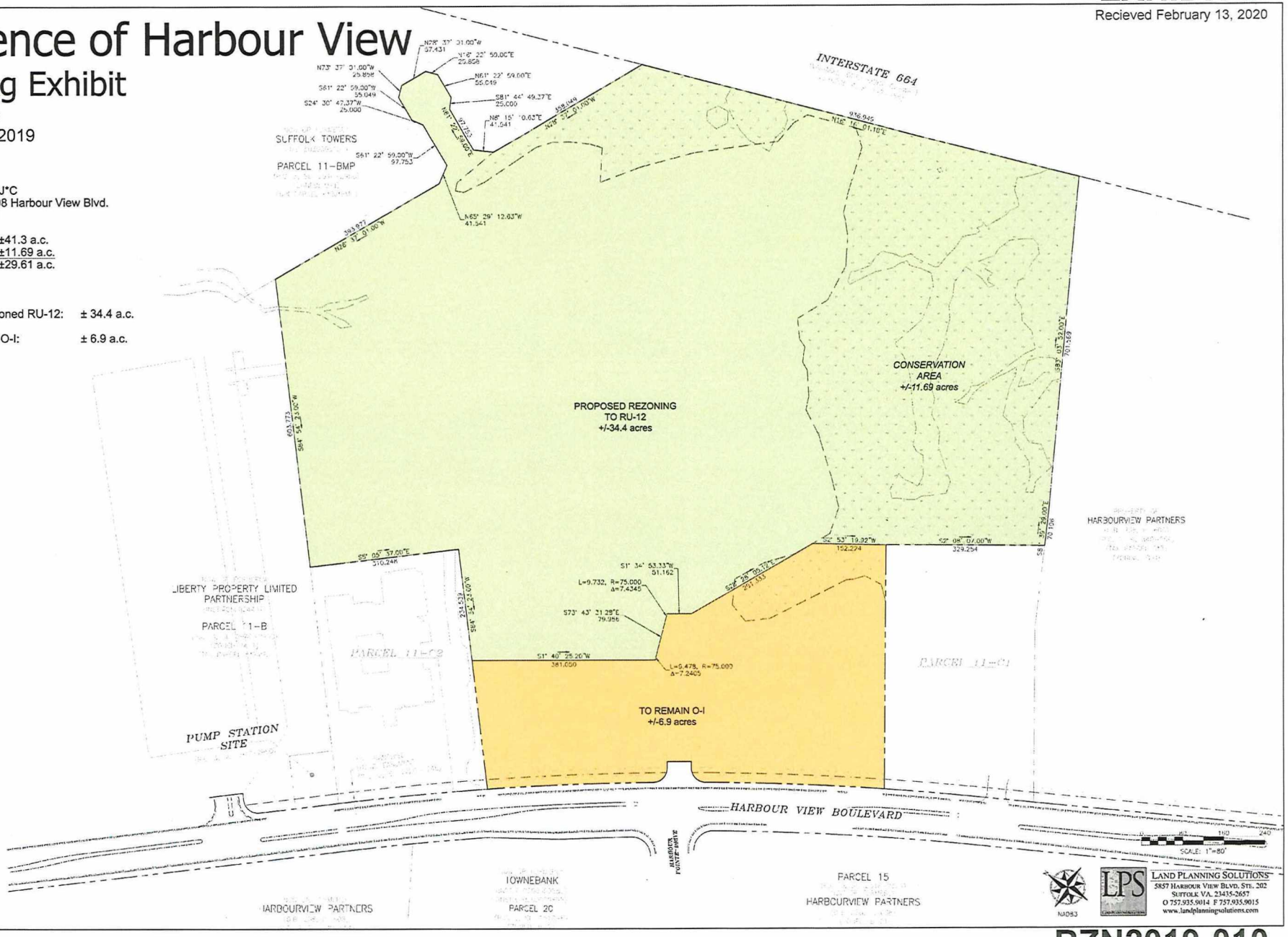
SITE DATA:

Tax Map: 6*2J*C
Property Address: 6808 Harbour View Blvd.
Current Zoning: O-I

Total Site Area: ±41.3 a.c.
Wetlands: ±11.69 a.c.
Net Site Area: ±29.61 a.c.

LEGEND:

Acres to be Rezoned RU-12: ± 34.4 a.c.
Acres to remain O-I: ± 6.9 a.c.



O:\Projects\WesdenFields\VA\WEL042 - Parcel 11AA\Cadd\Prelim\Preliminary Parcel11 Wel Cadwg, Plotted By: Eric-PC, Plotted: Oct 21, 2019 - 2:58pm

RZN2019-010

EXHIBIT E

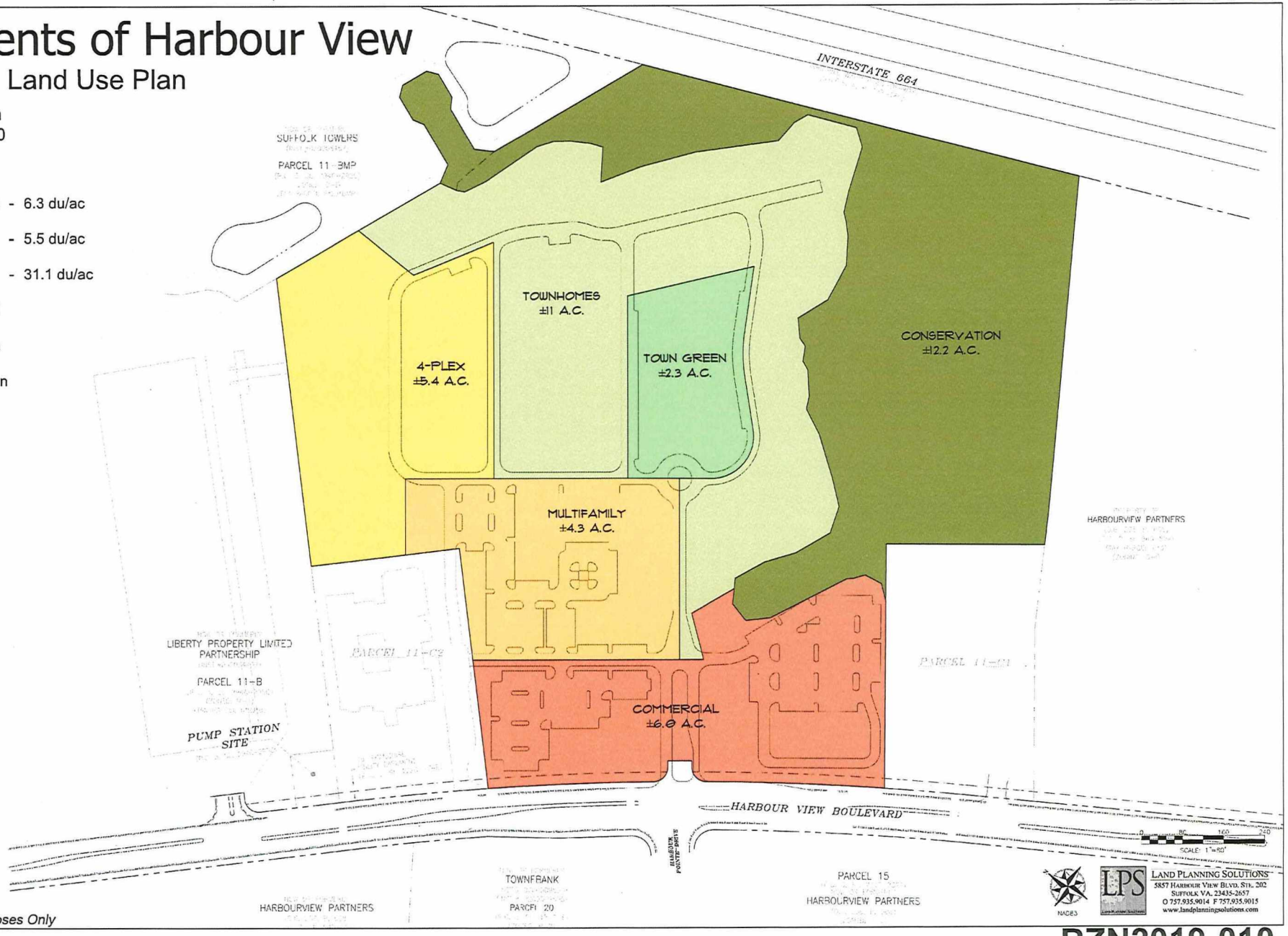
Residents of Harbour View

Proposed Land Use Plan

Suffolk, Virginia
January 9, 2020

LEGEND

- Townhomes - 6.3 du/ac
- 4-Plex - 5.5 du/ac
- Multifamily - 31.1 du/ac
- Commercial
- Town Green
- Conservation



*For Illustrative Purposes Only

RZN2019-010

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NANSEMOND 1646 SUFFOLK 1742
19 74
CITY of SUFFOLK, VIRGINIA

CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

June 16, 2020

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Conditional Use Permit Request CUP2019-016, submitted by Pamela W. and Scott Troutman, Sr., applicants and property owners, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a Stable, commercial, on property located at 4200 Lake Point Road, Zoning Map 16, Parcel 24. The affected area is further identified as being located in the Holy Neck Voting Borough, zoned RE, Residential Estate zoning district. The 2035 Comprehensive Plan designates this area as part of the Rural Agricultural Use District.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Grace Braziel, the staff person handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

David Hainley
Director of Planning and Community Development

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request CUP2019-016 to establish a Stable, commercial, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance.

APPLICANT: Submitted by Pamela W. and Scott Troutman, Sr., applicants and property owners.

LOCATION: The affected property is located at 4200 Lake Point Road, Zoning Map 16, Parcel 25.

PRESENT ZONING: RE, Rural Estate zoning district.

EXISTING LAND USE: The subject property features a two-story building, horse stables, 4 paddocks/pastures, riding ring, and an equipment building.

PROPOSED LAND USE: The applicant proposes to establish a commercial stable to be able to board up to a maximum of 15 horses not including their own horses.

SURROUNDING LAND USES:

North - Lake Prince and residential properties zoned RE, Rural Estate zoning district.
South - Residential properties and zoned RE, Rural Estate zoning district.
East - Lake Prince and residential properties zoned RE, Rural Estate zoning district.
West - Lake Prince and residential properties zoned RE, Rural Estate zoning district.

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan identifies this property as being located within the Rural Agricultural Use District, outside of the Central Growth Area.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Protection Area (RPA) and Resource Management Area (RMA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent on June 12, 2020.

CASE HISTORY: None.

STAFF ANALYSIS

ISSUE

The applicant proposes to utilize an existing horse stable and pastures to commercially board up

to 15 horses not including their own. The subject property is approximately 21 acres in size and features a residential structure, a 7 stall stable, 4 paddocks/pastures, a riding area, and an equipment building. The property currently has horses on it and has been used in the past as a private stable. The existing horse stable has a total of 7 stalls allowing for 7 horses to be boarded. The remaining 8 horses are proposed to be pasture boarded. There are currently no structures or run-ins in the pastures to provide shelter for the horses. The applicant is not proposing riding lessons or shows at this time.

Additionally, the property is located along Lake Prince which is a drinking reservoir owned by the City of Norfolk. Lake Prince has a required 100-foot Resource Protection Area surrounding the reservoir and which impacts the subject property.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained for a Stable, commercial, within the RE, Rural Estate zoning district.

2. Section 31-702 of the Unified Development Ordinance (UDO) provides supplemental standards for animal regulations. Horses are permitted on properties zoned A, Agricultural, RR, Rural Residential, and RE, Rural Estate zoning district. The minimum acreage for keeping one horse is two acres, which may include a homesite. For parcels of three to five acres, three additional horses per acre may be kept. For incremental acreage increases of six through ten acres five horses per additional acre are permitted. The subject property by right may have a total of 90 horses. The requested number of horses to be commercially boarded does not exceed the number of horses permitted by right.

3. This property is within an area of the City where Public water or sewer is not available. Therefore, the Department of Public Utilities has no objections to this request.

4. The applicant has submitted a Nutrient Management Plan, dated December 17, 2019, and a Conservation Plan Report, dated February 04, 2020, in response to the Department of Public Works Total Maximum Daily Load (TMDL) concerns from the increased number of horses. The plans outline the procedure for rotational grazing and spreading of manure for the four existing pastures on site. Additionally, the plans outline and recommend best management practices to prevent any potential runoff into Lake Prince, a drinking reservoir owned by the City of Norfolk, that could be produced from the proposed use. The Department of Public Works, has no objections to this request.

5. Access to the site is currently from an existing private gravel driveway that extends from the terminus of Lake Point Road, a paved public street. The gravel drive is located within an existing ingress/egress easement. Maintenance of the gravel drive is currently the responsibility of the adjacent property owners which share the use of the drive per a maintenance agreement. The Department of Public Works, Traffic Engineering Division, has no objections to this request.

6. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a conditional use permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a conditional use permit by City Council when the right set of circumstances and conditions are found acceptable.

   Conditional Use Permit Approval Criteria, 31-306(c) – As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council, and only if the applicant demonstrates that:

   a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the Ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.*

      The proposed use is permitted only with the approval of a conditional use permit in the RE, Rural Residential zoning district, per the City's Unified Development Ordinance. All requirements as set forth in Articles 6 and 7 of the Unified Development Ordinance must be met. Section 31-702 of the Unified Development Ordinance (UDO) provides supplemental standards for animal regulations. By right the property can have 90 horses on the property. The requested number of horses to be commercially boarded does not exceed the number of horses permitted for the property.

      Furthermore, the housing of horses shall be constructed so as to facilitate maintenance in a clean and sanitary environment. There are currently no run-ins or structures that provide shelter to the horses in the pasture. A commercial stable and public stable is defined as an accessory building in which horses are kept for commercial use including boarding, hire, and sale. Therefore, staff recommends that the number of horses to be commercially boarded be limited to the number of stalls in the stable and run-ins or structures in the pastures to ensure shelter is provided for the horses.

   b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

The proposed commercial stable use is consistent with the existing character and surrounding land uses. The subject property is zoned RE, Rural Estate zoning district and is permitted to have horses on the property. The property owners currently use the property for their personal horses and are requesting to board horses other than their own for profit. The commercial stable use would allow the applicant to utilize the existing horse stables and pastures to board horses for a profit. The surrounding properties have horses for both private and commercial use. Additionally, traffic is not anticipated to adversely impact adjacent property owners. The proposed use is similar to and consistent with existing uses and other uses permitted in the same district.

c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

A previously stated, the property is accessed from a private drive that leads to a public road. The applicant has provided documentation that shows there is an existing ingress/egress easement to the property. Maintenance of the gravel drive is currently the responsibility of the adjacent property owners under a maintenance agreement. The Department of Public Works, Traffic Engineering Division, has no objections to this request.

d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The applicant is required to abide by all city regulations pertaining to sound control and noise. No vibration, odor, smoke, or gas is anticipated to be generated. Additionally, the existing stables are approximately 260 feet away from the closest structure, which is another horse stable, and approximately 700 feet and more from surrounding residential structures.

e) *The proposed use shall not be injurious to the use and enjoyments of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The subject property currently has an existing stable that is used for the property owner's personal horses. The property will continue to be used for horses; however, the proposed commercial stable use would allow for horses to be boarded for a profit in addition to being used for the property owner's personal horses. In addition, as previously stated the surrounding residential structures are all approximately 700 feet and more from the existing stables. The proposed commercial stable should not be injurious to the use or enjoyment of properties in the immediate area.

f) *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

As previously stated, the proposed use is in-keeping with the existing uses in the surrounding area and would not impede the orderly development of surrounding properties.

g) *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

Additionally, a Nutrient Management Plan, dated December 17, 2019, and a Conservation Plan Report, dated February 04, 2020, have been submitted and accepted with the application. The plans provide management procedures for rotational grazing and spreading of manure for the four existing pastures on site to address increases in waste that could be produced by the proposed use. The Nutrient Management Plan recommends that soil samples be taken once a rotation or every three years to maximize utilization of soil nutrients. The plan recommends that fertilizer not be spread on windy days or on frozen or saturated sails to prevent potential runoff. Additionally, the plans also outline best management practices to prevent potential runoff into Lake Prince. The Conservation Plan Report states that the existing 100-foot resource protection area buffer is currently functioning and is fully vegetated around the entire pasture area. The plan outlines management procedures for prescribed grazing land management to reduce the risk of surface and groundwater contamination from nonpoint source pollution from the pastures by managing stocking rates and grazing periods. Staff recommends that the procedures outlined in the Nutrient Management Plan, dated December 17, 2019, and the Conservation Plan Report, dated February 04, 2020, are met.

h) *The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*

The public interest and welfare should not be compromised by the proposed use at this location. The individual interests of persons within the neighborhood should not be adversely affected by the proposed use.

RECOMMENDATION

The proposed use of a Stable, commercial, at 4200 Lake Point Road is consistent and compatible with the existing uses in the surrounding area. This application meets the approval criteria for Conditional Use Permits set forth in Section 31-306 of the Unified Development Ordinance. Accordingly, staff recommends **approval** of CUP2019-016 subject to the following conditions:

1. This Conditional Use Permit is granted to establish a Stable, commercial, on property located at 4200 Lake Point Road, Zoning Map 16, Parcel 24.

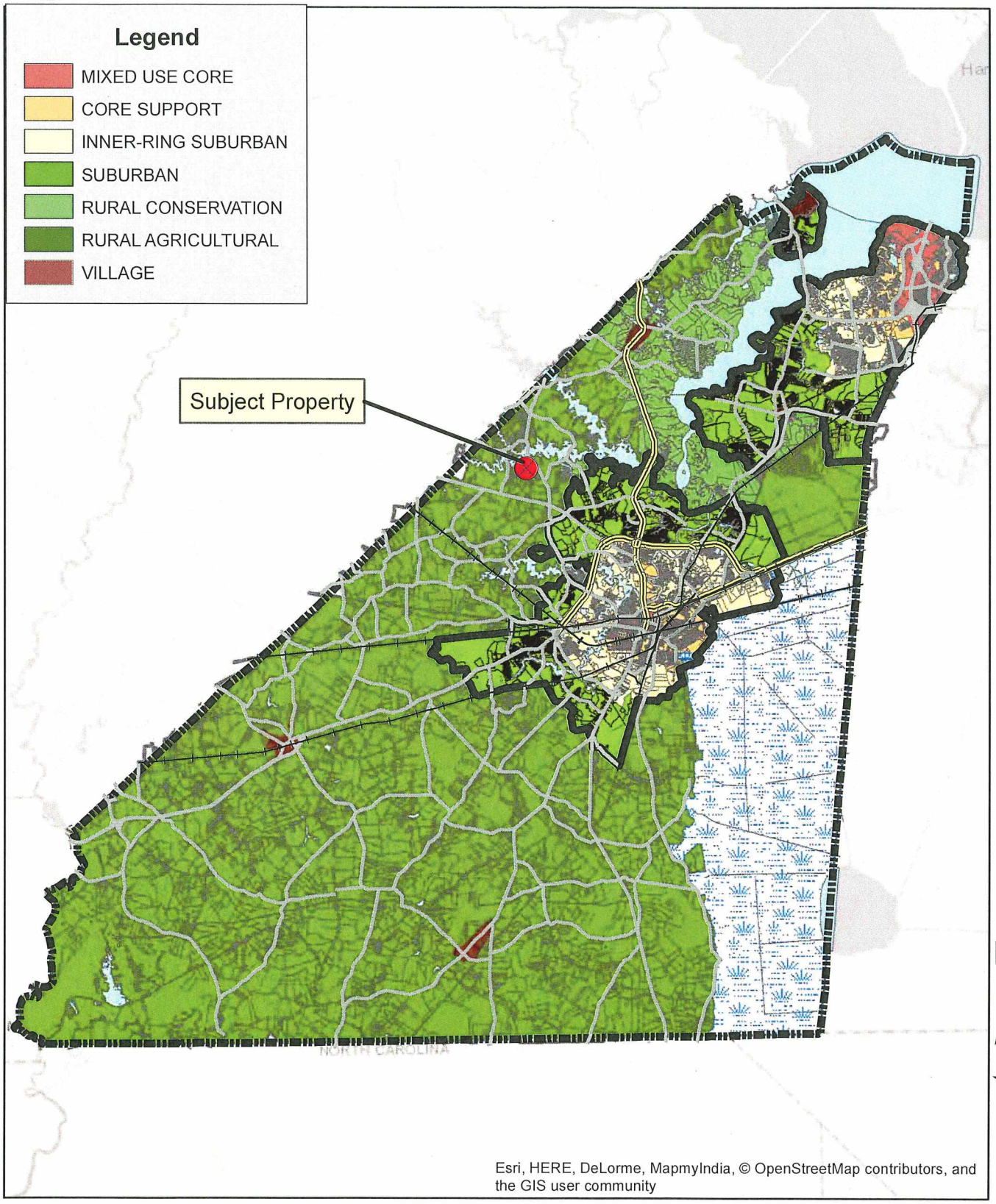
2. The number of horses to be commercially boarded shall be limited to the number of stables and or run-ins in the pastures provided to house the horses, and shall not exceed the total number of horses permitted for the property in accordance with Section 31-702 of the Unified Development Ordinance.

3. The applicant shall ensure that all recommendations and procedures in the Nutrient Management Plan, dated December 17, 2019, and the Conservation Plan Report, dated February 04, 2020, are met.

Attachments

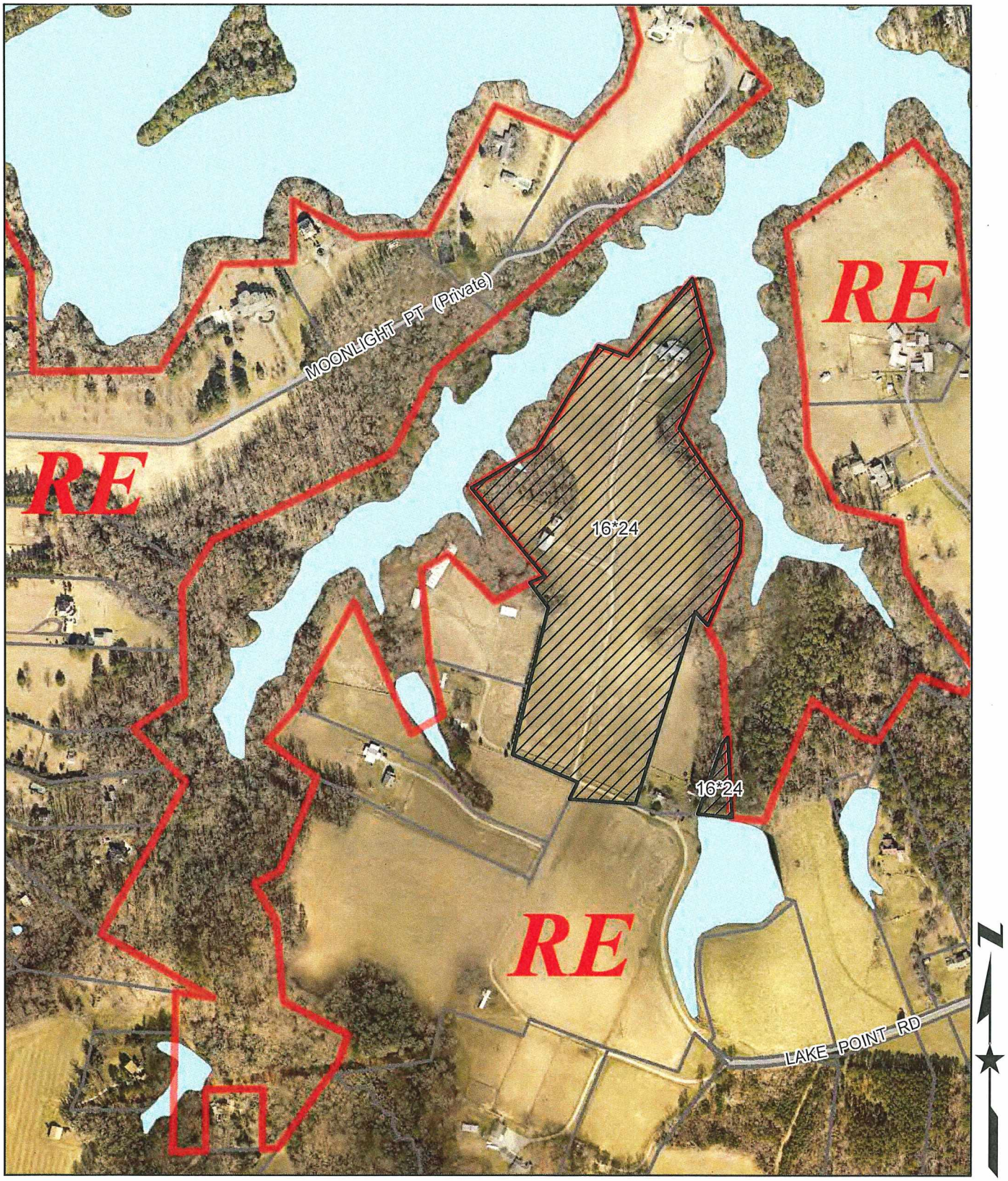
- General Location Map
- Zoning / Land Use Map
- Narrative
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Survey

GENERAL LOCATION MAP
CUP2019-016



User Name: bsmith
Date: 9/26/2019

ZONING / LAND USE MAP
CUP2019-016



User Name: bsmith
Date: 9/26/2019

Narrative Description of Proposed Use

The Applicant/Owners, Scott and Pamela Troutman wish to get a business license to board horses other than their own on their private property and stables located at 4200 Lake Point Road, Suffolk, Virginia. The property is located in a RE Zoning District which allows horses and other livestock. This Application for Conditional Use Permit has been submitted because the City of Suffolk Unified Development Ordinance classifies this as a "commercial stable" operation if the property owner accepts money for the service of boarding horses, although the Applicant/Owner still considers it a private family farm. The Applicant/Owners wish to board horses for family and friends for a fee to offset the costs of maintaining the farm. The property contains a home, seven stall barn, equipment building, riding ring and four large pastures (see attached pictures). The Applicant/Owner will not be making any improvements to the property. The Applicant/Owners currently own three horses and a donkey. The Applicant/Owners wish to stall and pasture board up to a maximum of 15 horses other than their own. As the Applicant/Owner understands the ordinance on number of horses allowed, (see attached ordinance and calculation sheet), the maximum number of horses allowed on the property would be 90 horses.

RECEIVED
SEP 11 2019
PLANNING

ORDINANCE NO. _____

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A STABLE, COMMERCIAL, ON PROPERTY LOCATED AT 4200 LAKE POINT ROAD, ZONING MAP 16, PARCEL 24; CUP2019-016

WHEREAS, Pamela W. and Scott Troutman, Sr., applicants and property owners, has requested a conditional use permit for a Stable, commercial, on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 16, Parcel 24, and which land is depicted on Exhibit "B", "Property Map"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", and Exhibit "C", "Survey", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to establish a Stable, commercial, that is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of a Stable, commercial, is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit specifically permits a Stable, commercial in compliance with Exhibit "C" (the "Survey"), and Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit is granted to establish a Stable, commercial, on property located at 4200 Lake Point Road, Zoning Map 16, Parcel 24.

2. The number of horses to be commercially boarded shall be limited to the number of stalls in the stable and or run-ins in the pastures provided to house the horses and shall not exceed the total number of horses permitted for the property in accordance with Section 31-702 of the Unified Development Ordinance.

3. The applicant shall ensure that all recommendations and procedures in the Nutrient Management Plan, dated December 17, 2019, and the Conservation Plan Report, dated February 04, 2020, are met.

Section 4. General Conditions.

(a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to the property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

(b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.

(c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or

maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Exhibit A

RESOLUTION NO. 20-06-2

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT CUP2019-016 TO ESTABLISH A STABLE, COMMERCIAL, ON PROPERTY LOCATED AT 4200 LAKE POINT ROAD, ZONING MAP 16, PARCEL 24; CUP2019-016

WHEREAS, Pamela W. and Scott Troutman, Sr., applicants and property owners, has requested the issuance of a conditional use permit for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to permit a Stable, commercial, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

_____ a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_____ b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_____ c) Will be no more injurious to property or improvements in the neighborhood, or

_____ d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2019-016, be:

_____ a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

_____ b) Denied, and that Council not adopt the proposed Ordinance.

_____ c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED:_____

TESTE:_____

CONDITIONAL USE PERMIT
CUP2019-016

CONDITIONS

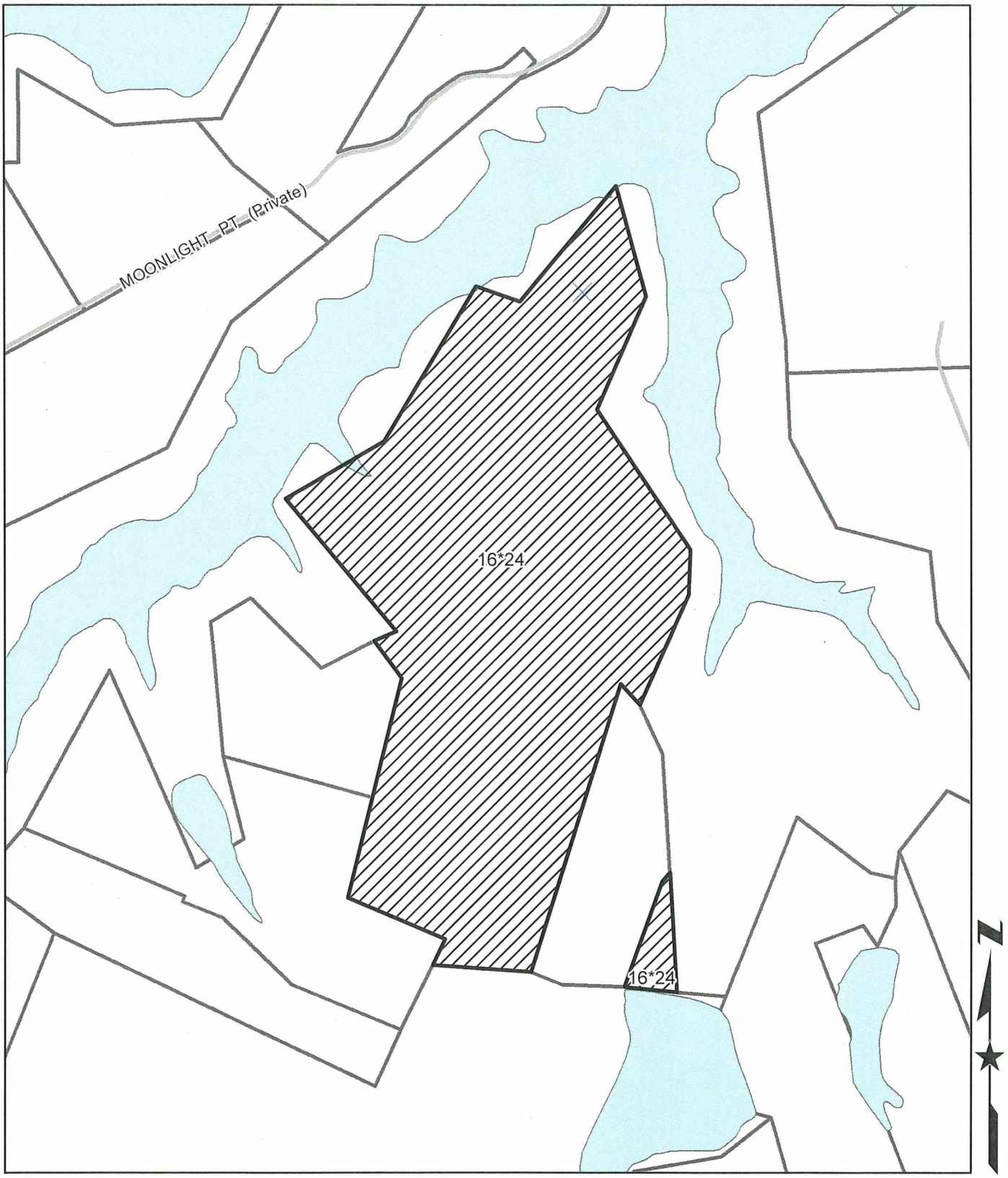
1. This Conditional Use Permit is granted to establish a Stable, commercial, on property located at 4200 Lake Point Road, Zoning Map 16, Parcel 24.

2. The number of horses to be commercially boarded shall be limited to the number of stalls in the stable and or run-ins in the pastures provided to house the horses and shall not exceed the total number of horses permitted for the property in accordance with Section 31-702 of the Unified Development Ordinance.

3. The applicant shall ensure that all recommendations and procedures in the Nutrient Management Plan, dated December 17, 2019, and the Conservation Plan Report, dated February 04, 2020, are met.

PROPERTY MAP
CUP2019-016

EXHIBIT B



User Name: bsmith
Date: 9/26/2019

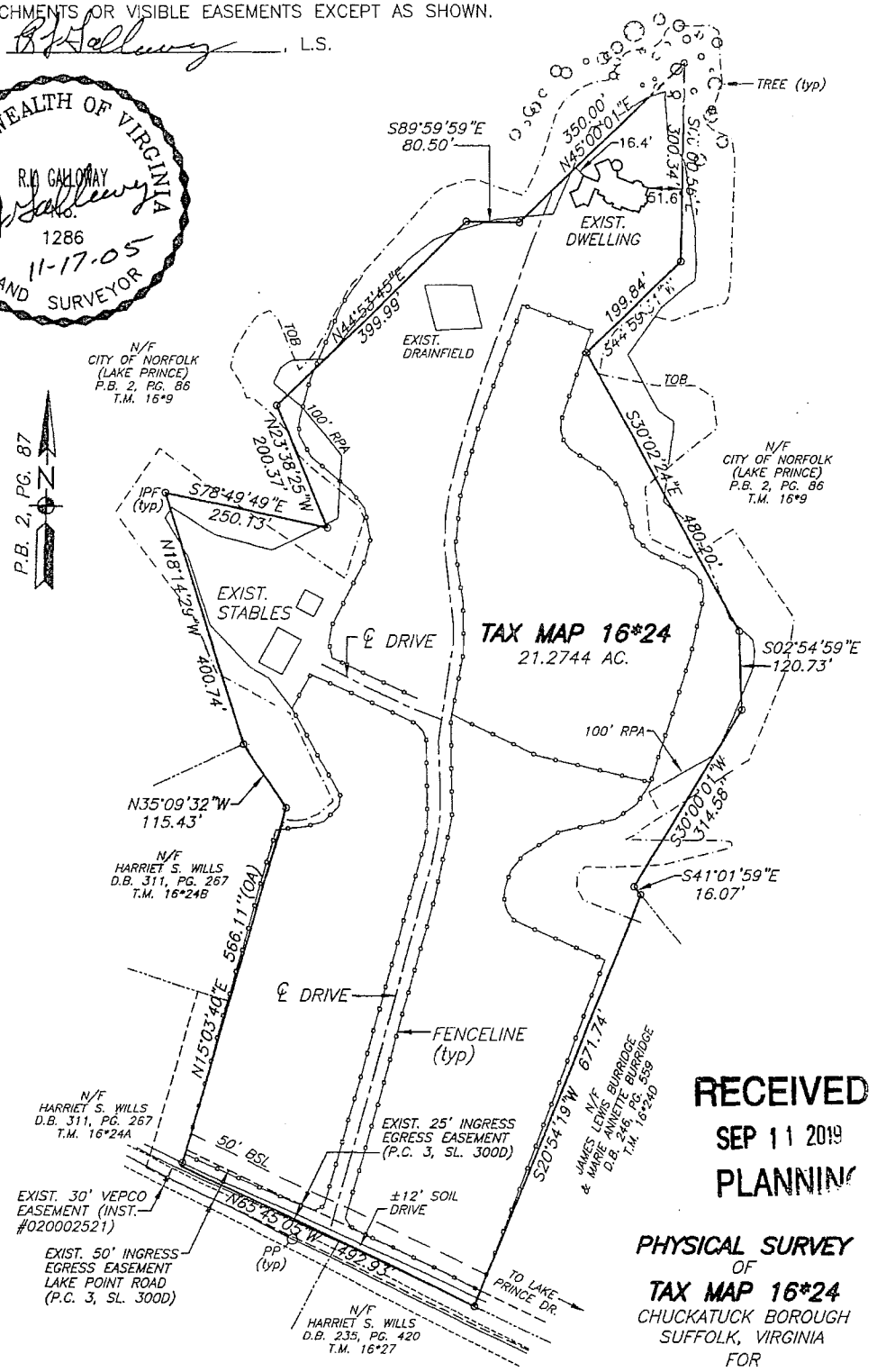
EXHIBIT C

THIS IS TO CERTIFY THAT ON NOVEMBER 15, 2005, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE AS SHOWN HEREON.

THE IMPROVEMENTS LIE STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

SIGNED: _____, L.S.

COMMONWEALTH OF VIRGINIA
R.L. GALLOWAY
No. 1286
11-17-05
LAND SURVEYOR



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SEP 11 2019
PLANNING

PHYSICAL SURVEY
OF
TAX MAP 16*24
CHUCKATUCK BOROUGH
SUFFOLK, VIRGINIA
FOR
ROBERT M. LETCHWORTH
DATE: NOVEMBER 15, 2005
SCALE: 1"=200'

NOTES:

1). THIS IS TO CERTIFY THAT THIS SURVEY REFERS TO THE SAME LOT OR LOTS RECORDED IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE CITY OF SUFFOLK, VIRGINIA, IN D.B. 235, PG. 420.

2). UTILITIES TO DWELLING ARE UNDERGROUND.

3). THIS LOT APPEARS TO BE LOCATED IN FLOOD ZONE 'X', AS SHOWN ON FLOOD MAP, FEMA COMMUNITY-PANEL #510156-0005B. EFFECTIVE DATE: 11/16/90.

4). THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT REFLECT ALL MATTERS AFFECTING TITLE.

R. L. GALLOWAY, L.S.
SURVEYOR/PLANNER
17226 COMMERCE LANE
SMITHFIELD, VIRGINIA 23430
PH: (757) 356-9096
FAX: (757) 356-9098

0408168-200PH.dwg/MSG

CUP2019-016

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NANSEMOND 1646 SUFFOLK 1742
19 74
CITY OF SUFFOLK, VIRGINIA

CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

June 16, 2020

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Conditional Use Permit Request CUP2020-001, submitted by Christopher Mayes, Party Time Entertainment LLC, applicant, on behalf of Cynthia Ives, SVN Lead Commercial, agent, on behalf of Washington Lofts, LLC, property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish an Amusement/entertainment/recreation center, indoor, on property located at 126 W. Washington Street, Zoning Map 34G18(A), Parcel 303. The affected area is further identified as being located in the Suffolk Voting Borough, zoned CBD, Central Business District. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Mixed Use Core Use District.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Grace Braziel, the staff person handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

David Hainley
Director of Planning and Community Development

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request CUP2020-001 to establish an Amusement/entertainment/recreation center, indoor, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance.

APPLICANT: Submitted by Christopher Mayes, Party Time Entertainment LLC, applicant, on behalf of Cynthia Ives, SVN Lead Commercial, agent, on behalf of Washington Lofts, LLC, property owner.

LOCATION: The affected property is located at 126 W. Washington Street, Zoning Map 34G18(A), Parcel 303.

PRESENT ZONING: CBD, Central Business District, and HC, Historic Conservation Overlay District.

EXISTING LAND USE: The subject property consists of a two-story building. The ground floor is currently vacant retail space and a residential apartment is located on the second floor.

PROPOSED LAND USE: The applicant proposes to establish an Amusement/entertainment/ recreation center, indoor, on the first floor of the building. The applicant proposes to utilize the first floor to provide a space for small gatherings and birthday parties with games available for use.

SURROUNDING LAND USES:

North - Commercial and residential properties zoned CBD, Central Business District.
South - Commercial and residential properties zoned CBD, Central Business District.
East - Commercial and residential properties zoned CBD, Central Business District.
West - Commercial and residential properties zoned CBD, Central Business District.

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan identifies this property as being located within the Central Growth Area, Mixed Use Core use district.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: This property is located within the Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA) and an Intensely Developed Area (IDA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent on June 12, 2020.

CASE HISTORY: None.

STAFF ANALYSIS

ISSUE

The applicant is requesting to utilize an existing building for the use of an indoor amusement center. The applicant proposes to utilize the rear portion of the first floor to rent the space for small gatherings and birthday parties. The rental space is proposed to have an area for video game equipment, a play area that will have games such as table tennis, board games, arts and crafts, and an area for seating. The commercial building currently has one (1) bathroom located in the rear of the building near the space that will be available for rent. The applicant has indicated that an additional bathroom will be added to accommodate a higher occupancy in accordance with building code. The proposed hours of operation for the rental space will be from 12 pm to 8 pm on weekdays and 12 pm to 9 pm on weekends, which is consistent with the hours of operation for similar uses that have been approved. The space will not be open to the public and will only be available for private parties during the proposed hours of operation. The applicant has stated there will be no alcoholic beverages allowed on the premises to provide an environment that is family friendly; however, if alcoholic beverages are served on the property the applicant will be responsible for obtaining all licenses and approvals from the Virginia Department of Alcoholic Beverage Control.

Additionally, the applicant will utilize the front portion of the first floor to have a separate space to rent and sell party supplies and equipment such as concession machines, party decorations and accessories, and balloons. The rental and sale business will be open to the public from 11 am to 5 pm. The use of the front space within the commercial building is a by right use and does not need a conditional use permit.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained for an Amusement/entertainment/recreation center, indoor, within the CBD, Central Business District zoning district.

2. This property is currently served by both public water and sewer. The information provided notes one (1) additional bathroom will be installed which will not affect the current meter size for the building. Based on the application, the Department of Public Utilities has no objections to this request.

3. The Department of Public Works, Engineering Division, has no objections to this request since no land disturbance is proposed.

4. The Department of Public Works, Traffic Engineering Division, has no objections to this request as adequate parking and vehicular access is available in the downtown area.

5. The applicant stated that no food preparation will be conducted on the property. If food is offered, the applicant will need to meet the necessary Health Department requirements for food preparation and handling.

6. The maximum occupancy will be determined by the Suffolk Building Official and Fire Marshall.

7. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a conditional use permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a conditional use permit by City Council when the right set of circumstances and conditions are found acceptable.

   Conditional Use Permit Approval Criteria, 31-306(c) – As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council, and only if the applicant demonstrates that:

   a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the Ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.*

      The proposed use is permitted only with the approval of a conditional use permit in the Central Business District per the City's Unified Development Ordinance. All requirements as set forth in Articles 6 and 7 of the Unified Development Ordinance must be met. In addition, this property is located within the Historic Conservation Overlay District and is subject to the requirements of the Historic District Design Guidelines; therefore, any exterior changes to the property will require a Certificate of Appropriateness.

   b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

      The proposed indoor amusement center will be located within an existing building located in an established commercial area located in the downtown core of the City of Suffolk. The property is surrounded by CBD, Central Business District which has a mix of different commercial uses such as retail stores, restaurants, and office spaces. The proposed indoor amusement at this site is consistent with other various commercial uses that are located within the downtown core and shall be no more injurious to the surrounding neighborhood than would any other use permitted in the

same district.

c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

The indoor amusement request has been reviewed by the City's Traffic Engineering Department who expressed no concerns regarding parking, circulation, or traffic for the proposed use and location since it is located within the CBD, Central Business District.

d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The applicant is required to abide by all city regulations pertaining to sound control and noise. No vibration, odor, smoke, or gas is anticipated to be generated. Due to the proximity of residential uses staff has recommended that all operations cease at 11 p.m. on weekdays and midnight on Friday and Saturday evenings, which is consistent with previous recommendations for similar uses.

e) *The proposed use shall not be injurious to the use and enjoyments of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The proposed use will utilize an existing building within an established commercial area which has a mixture of different uses. The proposed use will be compatible with existing uses and will not be injurious to the surrounding area. Additionally, to protect the use and enjoyment of the neighboring properties staff has recommended a condition to limit the hours of operation.

f) *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

As previously stated, the property is located in a developed area within an existing structure. The proposed indoor amusement is similar and compatible with the surrounding uses in the neighborhood. The use of this property for an indoor amusement center should not impede the orderly development and improvement of surrounding properties.

g) *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

Staff has attached conditions to limit any potential negative effects that may result from this type of use, and the applicant must comply with all ordinances regarding noise.

h) The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

The public interest and welfare should not be compromised by the proposed use at this location. The individual interests of persons within the neighborhood should not be adversely affected by the proposed use.

RECOMMENDATION

The proposed use of an Amusement/entertainment/recreation center, indoor, at 126 West Washington Street is similar to and compatible with the existing uses in the surrounding area. In addition, given the existing available infrastructure and location in an established commercial district, the use will not adversely impact the surrounding neighborhood. This application meets the approval criteria for Conditional Use Permits set forth in Section 31-306 of the Unified Development Ordinance. Accordingly, staff recommends **approval** of CUP2020-001 subject to the following conditions:

1. This Conditional Use Permit is granted to establish an Amusement/ entertainment/recreation center, indoor, on the ground floor of property located at 126 W. Washington Street, Zoning Map 34G18(A), Parcel 303.

2. In the event that alcohol will be served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

3. No gambling, cash prizes, or prizes in exchange for cash are permitted.

4. Digital video surveillance shall be provided at all entrances/exits. The video must be accessible by employees on-site and must be approved by the Police Department.

5. If food preparation is to occur on-site, Health Department approval is required.

6. Occupancy of the building will be determined by the Suffolk Building Official and Suffolk Fire Marshall.

7. The hours of operation shall be limited as follows:
   Sunday – Thursday *9:00 a.m. to 11:00 p.m.*
   Friday – Saturday *9:00 a.m. to 12:00 a.m./midnight*

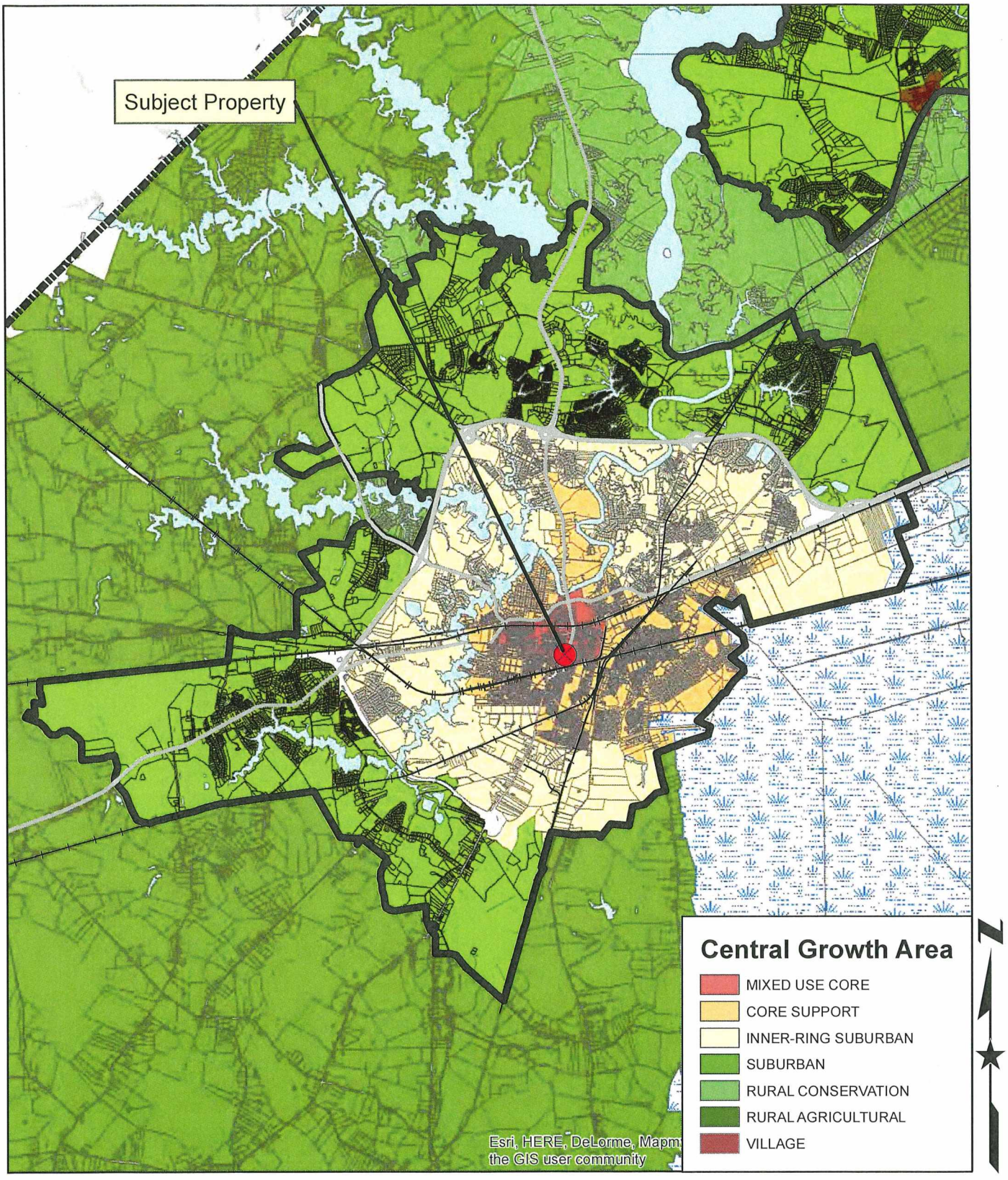
8. This property is located in the Suffolk Historic Conservation Overlay District and is subject to the standards of the Historic District Design Guidelines. Any exterior changes to the property will require a Certificate of Appropriateness.

9. The applicant shall be responsible to ensure compliance with all local and state laws and ordinances of the City of the Suffolk and the Commonwealth of Virginia; this includes but is not limited to: the Virginia Administrative Code, the Unified Development Ordinance, and the Virginia Uniform Statewide Building Code.

Attachments

- General Location Map
- Zoning / Land Use Map
- Narrative
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Floor Plan

GENERAL LOCATION MAP
CUP2020-001



User Name: bsmith
Date: 1/29/2020

ZONING / LAND USE MAP
CUP2020-001

User Name: bsmith
Date: 1/29/2020

Party Time Entertainment will provide place where you can rent space for small gatherings and birthday parties A rental space for up to thirty to forty guest, designated to one private party at a time Order of operations for rental space will be from 12p m to 8p m on weekdays and 12p m to 9p m on weekends We will also be providing some entertainment for birthday parties such as play areas, arts and crafts, video gaming consoles, tables, chairs and decorations Guest can bring food for there party, but there will be no place for cooking There will be no alcoholic beverages allowed on the premises

Party Time Entertainment will also have a separate space not accessible from rental space that will be for rental and retail of party supplies and equipment Such as concession machines, their products, different party supply decorations and accessories Popcorn, cotton candy, snow cone, hotdog machines, cups, balloons, plates, decorations, all for rental and retail Order of operations for rental and retail of party supplies and equipment will be from 11a m to 5p m

1800 square feet with a portion of space for rental space for small gatherings and small birthday parties and portion for display for rental and retail for party supplies and equipment There's also a rest room and space for storage

Party Time Entertainment looks forward to providing a great business and atmosphere for Suffolk and our great communities

Thank you
Party Time Entertainment

RECEIVED
JAN 2 3 REC'D
PLANNING

ORDINANCE NO. _____

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH AN AMUSEMENT/ENTERTAINMENT/RECREATION CENTER, INDOOR, ON PROPERTY LOCATED AT 126 WEST WASHINGTON STREET, ZONING MAP 34G18(A), PARCEL 303; CUP2020-001

WHEREAS, Christopher Mayes, Party Time Entertainment LLC, applicant, on behalf of Cynthia Ives, SVN Lead Commercial, agent, on behalf of Washington Lofts, LLC, property owner, has requested a conditional use permit for an Amusement/entertainment/recreation center, indoor, on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 34G18(2), Parcel 9*9A, and which land is depicted on Exhibit "B", "Property Map"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", and Exhibit "C", "Floor Plan", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to establish an Amusement/entertainment/recreation center, indoor, that is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive

Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of an Amusement/entertainment/recreation center, indoor, is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit specifically permits an Amusement/entertainment/recreation center, indoor, in compliance with Exhibit "C" (the "Floor Plan"), and Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit is granted to establish an Amusement/ entertainment/recreation center, indoor, on the ground floor of property located at 126 W. Washington Street, Zoning Map 34G18(A), Parcel 303.

2. In the event that alcohol will be served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

3. No gambling, cash prizes, or prizes in exchange for cash are permitted.

4. Digital video surveillance shall be provided at all entrances/exits. The video must be accessible by employees on-site and must be approved by the Police Department.

5. If food preparation is to occur on-site, Health Department approval is required.

6. Occupancy of the building will be determined by the Suffolk Building Official and Suffolk Fire Marshall.

7. The hours of operation shall be limited as follows:
   Sunday – Thursday *9:00 a.m. to 11:00 p.m.*
   Friday – Saturday *9:00 a.m. to 12:00 a.m./midnight*

8. This property is located in the Suffolk Historic Conservation Overlay District and is subject to the standards of the Historic District Design Guidelines. Any exterior changes to the property will require a Certificate of Appropriateness.

9. The applicant shall be responsible to ensure compliance with all local and state laws and ordinances of the City of the Suffolk and the Commonwealth of Virginia; this includes but is not limited to: the Virginia Administrative Code, the Unified Development Ordinance, and the Virginia Uniform Statewide Building Code.

Section 4. General Conditions.

(a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to the property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

(b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.

(c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Exhibit A

RESOLUTION NO. 20-06-3

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT CUP2020-001 TO ESTABLISH AN AMUSEMENT/ENTERTAINMENT/RECREATION CENTER, INDOOR, ON PROPERTY LOCATED AT 126 WEST WASHINGTON STREET, ZONING MAP 34G18(A), PARCEL 303; CUP2020-001

WHEREAS, Christopher Mayes, Party Time Entertainment LLC, applicant, on behalf of Cynthia Ives, SVN Lead Commercial, agent, on behalf of Washington Lofts, LLC, property owner, has requested the issuance of a conditional use permit for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to permit an Amusement/entertainment/recreation center, indoor, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

_____ a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_____ b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_____ c) Will be no more injurious to property or improvements in the neighborhood, or

_____ d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2020-001, be:

_____ a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

_____ b) Denied, and that Council not adopt the proposed Ordinance.

_____ c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED:_____

TESTE:_____

CONDITIONAL USE PERMIT
CUP2020-001

CONDITIONS

1. This Conditional Use Permit is granted to establish an Amusement/ entertainment/recreation center, indoor, on the ground floor of property located at 126 W. Washington Street, Zoning Map 34G18(A), Parcel 303.

2. In the event that alcohol will be served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

3. No gambling, cash prizes, or prizes in exchange for cash are permitted.

4. Digital video surveillance shall be provided at all entrances/exits. The video must be accessible by employees on-site and must be approved by the Police Department.

5. If food preparation is to occur on-site, Health Department approval is required.

6. Occupancy of the building will be determined by the Suffolk Building Official and Suffolk Fire Marshall.

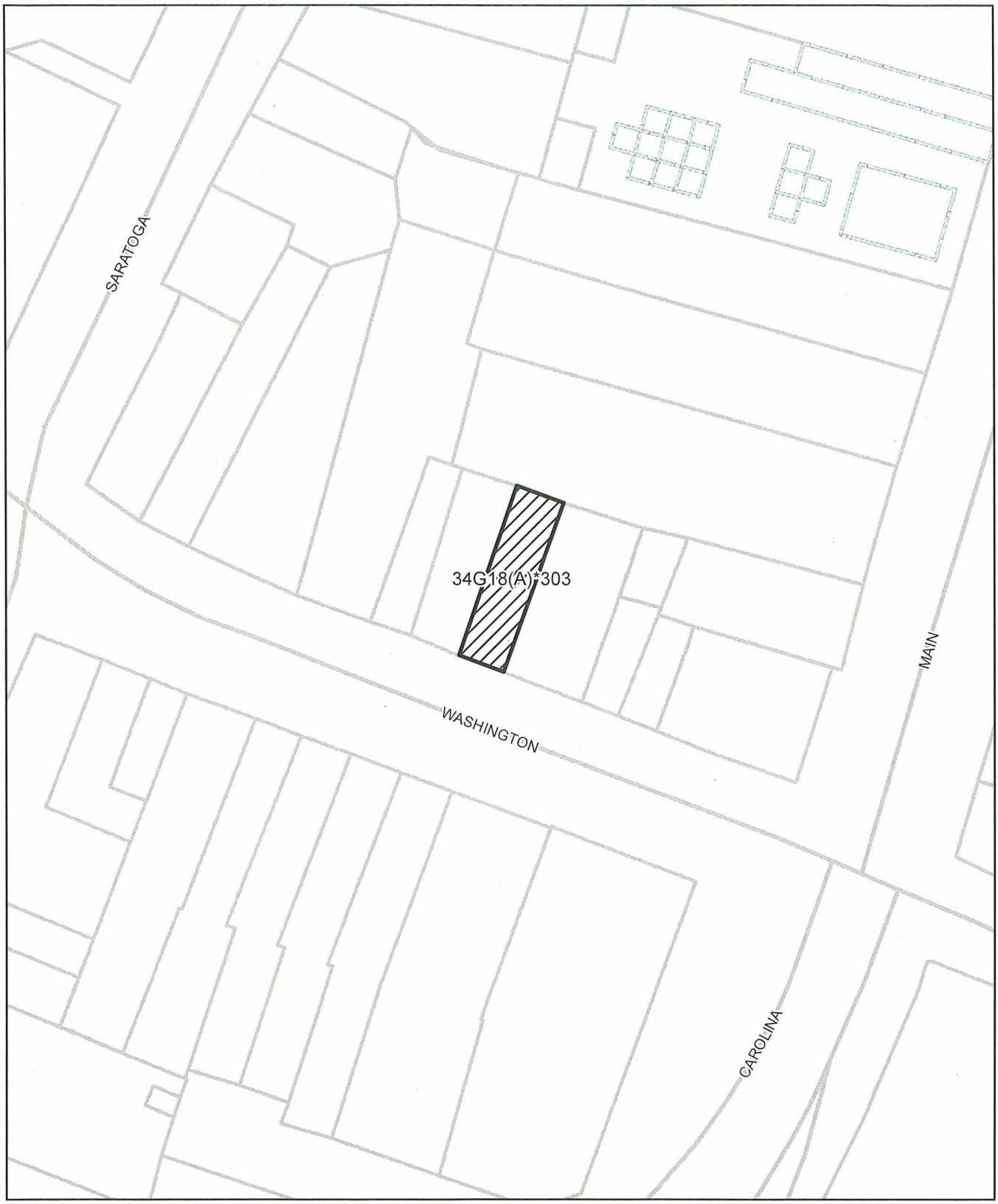
7. The hours of operation shall be limited as follows:
   Sunday – Thursday *9:00 a.m. to 11:00 p.m.*
   Friday – Saturday *9:00 a.m. to 12:00 a.m./midnight*

8. This property is located in the Suffolk Historic Conservation Overlay District and is subject to the standards of the Historic District Design Guidelines. Any exterior changes to the property will require a Certificate of Appropriateness.

9. The applicant shall be responsible to ensure compliance with all local and state laws and ordinances of the City of the Suffolk and the Commonwealth of Virginia; this includes but is not limited to: the Virginia Administrative Code, the Unified Development Ordinance, and the Virginia Uniform Statewide Building Code.

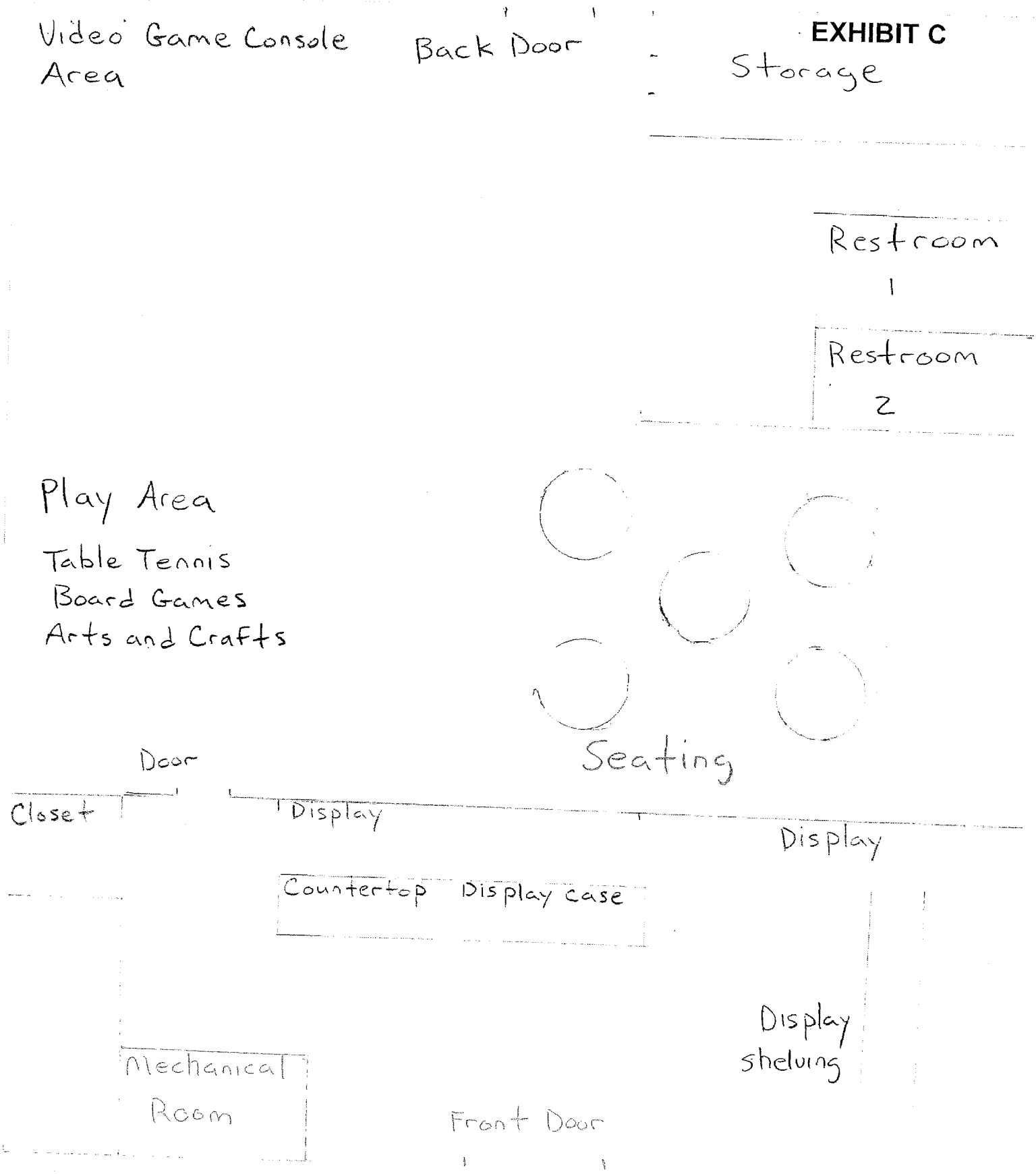
PROPERTY MAP
CUP2020-0001

EXHIBIT B



User Name: bsmith
Date: 1/29/2020

EXHIBIT C



126 West Washington St.

CUP2020-001

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CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

June 16, 2020

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Conditional Use Permit Request CUP2020-002, submitted by Brian S. Stewart, 153 West Washington LLC, applicant and property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish an Amusement/entertainment/ recreation center, indoor, on property located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A. The affected area is further identified as being located in the Suffolk Voting Borough, zoned CBD, Central Business District. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Mixed Use Core Use District.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Amy Thurston, the staff person handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

David Hainley
Director of Planning and Community Development

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT: Conditional Use Permit Request CUP2020-002, submitted by Brian S. Stewart, 153 West Washington LLC, applicant and property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish an Amusement/entertainment/recreation center, indoor, on property located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A.

APPLICANT: Submitted by Brian S. Stewart, 153 West Washington LLC, applicant and property owner.

LOCATION: The affected property is located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A.

PRESENT ZONING: CBD, Central Business District. This property is also located within the Suffolk Historic Conservation Overlay District.

EXISTING LAND USE: The subject property consists of a two-story building. The ground floor is currently vacant and a residential apartment is located on the second floor.

PROPOSED LAND USE: The applicant proposes to establish an Amusement/entertainment/ recreation center, indoor, on the ground floor of the building and retain the residential apartment on the second floor.

SURROUNDING LAND USES:

North - Commercial and residential properties zoned CBD, Central Business District.
South - Commercial and residential properties zoned CBD, Central Business District.
East - Commercial and residential properties zoned CBD, Central Business District.
West - Commercial and residential properties zoned CBD, Central Business District.

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan identifies this property as being located within the Central Growth Area, Mixed Use Core use district.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: This property is located within the Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA) and an Intensely Developed Area (IDA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent on June 12, 2020.

STAFF ANALYSIS

ISSUE

The applicant proposes to establish the "Will-O-Wisp Family Game Store and Café" on the ground floor of 153 West Washington Street. The proposed use would consist of tabletop games,

board games, card games, a café offering simple meals and refreshments, as well as a toddler play area and a private event/classroom area in the rear. The business would offer games, cards, strategy books, figurines, toys, home décor, and artwork items for sale in addition to a library of items for patrons to rent and return for small fees. The applicant indicated that there will be no gambling or cash prizes involved with the business. Based on the applicant's narrative, which is attached to this report, the proposed use is classified as an Amusement/ entertainment/recreation center, indoor, which is permitted in the Central Business District only through the approval of a conditional use permit.

The applicant proposes a maximum occupancy of forty-nine (49) patrons including staff and customers. There will be cafeteria style seating that allows customers to play games and enjoy refreshments at the same time. No major physical changes are proposed to the building. The projected hours of operation are 2 p.m. – 8 p.m. Tuesday through Friday, 12 p.m. - midnight on Saturday, 12 p.m. – 8 p.m. on Sunday, and closed on Mondays. The applicant would like the opportunity to vary their hours of operation based on the desires of their customers and special events. The hours of operation that have consistently been approved for similar uses in the downtown area include: Sunday to Thursday 9:00 a.m. – 11 p.m., and Friday and Saturday 9:00 a.m. – 12:00 a.m./midnight; thus, the proposed hours for the subject business would fall within the range of hours approved for similar uses. The business is designed to be family-friendly and no alcohol is proposed to be served at this time. In the case that the business owner would like to serve alcohol, they will be responsible for obtaining all licenses and approvals from the Virginia Department of Alcoholic Beverage Control.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a conditional use permit be obtained for an Amusement/entertainment/recreation center, indoor, within the CBD, Central Business District zoning district.

2. This property is currently served by both public water and sewer. No renovations are proposed to the existing building that would increase the number of fixtures and two (2) restrooms are currently provided. Based on the application, the Department of Public Utilities has no objections to this request.

3. Being that this property is served by public sewer, the Health Department has no objections to the request. The proposed café will require proper permits from the Health Department prior to operation.

4. The Department of Public Works, Engineering Division, has no objections to this request as no land disturbance is proposed.

5. The Department of Public Works, Traffic Engineering Division, has no objections to this request as adequate parking and vehicular access is available in the downtown area.

6. The applicant proposes a maximum occupancy of forty-nine (49) patrons; however, this will be determined by the Suffolk Building Official and Fire Marshall.

7. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a conditional use permit recognizes uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a conditional use permit by City Council when the right set of circumstances and conditions are found acceptable.

   Conditional Use Permit Approval Criteria, 31-306(c) – As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council, and only if the applicant demonstrates that:

   a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the Ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.*

      The proposed use is permitted only with the approval of a conditional use permit in the Central Business District per the City's Unified Development Ordinance. All requirements as set forth in Articles 6 and 7 of the Unified Development Ordinance must be met. In addition, this property is located within the Historic Conservation Overlay District and is subject to the requirements of the Historic District Design Guidelines; therefore, any exterior changes to the property will require a Certificate of Appropriateness.

   b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

      The proposed indoor amusement use will complement the existing character and surrounding land uses located in the downtown core of the City of Suffolk. The Mixed Use Core use district and CBD zoning district are designed to consist of a vertical mix of commercial and residential land uses within a walkable, pedestrian-friendly setting. Due to the proposed limitation on the hours of operation ceasing at 11 p.m. on weekdays and midnight on weekends, the proposed indoor amusement center should not have an adverse impact on the people who live and work in downtown.

   c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

      The proposed use is expected to have similar impacts with regards to traffic and

parking as other uses currently located in downtown. Adequate on-street and off-street parking is available; therefore, the Department of Public Works, Traffic Engineering, has no concerns regarding the proposed use.

d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The applicant is required to abide by all city regulations pertaining to sound control and noise. No vibration, odor, smoke, or gas is anticipated to be generated. The Suffolk Police Department recommended that a video surveillance system be installed and monitored as a condition of approval.

e) *The proposed use shall not be injurious to the use and enjoyments of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.*

The subject property is located along West Washington Street, which is one (1) of the two (2) most prominent commercial corridors in the downtown core. Entertainment-oriented uses, such as the proposed indoor amusement center, should not be injurious to the enjoyment of surrounding commercial and residential uses when the right set of conditions are established. Due to the proximity to residential uses, it is recommended that the operating hours cease at 11 p.m. on weekdays and midnight on Friday and Saturday evenings, which is consistent with previous recommendations for similar uses. Additionally, to protect the use, enjoyment, and values of neighboring property, the City has adopted Performance Standards in Section 31-608 of the Unified Development Ordinance that the applicant must abide by. Lastly, the proposed use is not expected to have a negative impact on the surrounding public facilities.

f) *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

As previously stated, the proposed use is in-keeping with the existing uses on West Washington Street. The proposed use is also supported at this location by the 2035 Comprehensive Plan and the Downtown Master Plan. Furthermore, the conversion of this vacant ground floor commercial space to an active indoor amusement and recreation center use will support the success of neighboring businesses by helping to increase pedestrian activity downtown and support continued redevelopment.

g) *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

Staff has attached conditions to limit any potential negative effects that may result from this type of use, and the applicant must comply with all ordinances regarding noise. These conditions will help to ensure that public health, safety, morals, and welfare are not endangered and that the character of the area remains intact.

h) The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

The public interest and welfare should not be compromised by the proposed use at this location. The individual interests of persons within the neighborhood should not be adversely affected by the proposed use.

RECOMMENDATION

The proposed use of an Amusement/entertainment/recreation center, indoor, at 153 West Washington Street is similar to and compatible with the existing uses in the surrounding area. In addition, this use is supported by the 2035 Comprehensive Plan and the Downtown Master Plan. This application meets the approval criteria for Conditional Use Permits set forth in Section 31-306 of the Unified Development Ordinance. Accordingly, staff recommends **approval** of CUP2020-002 subject to the following conditions:

1. This Conditional Use Permit is granted to establish an Amusement/ entertainment/recreation center, indoor, on property located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A.

2. In the event that alcohol will be served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

3. No gambling, cash prizes, or prizes in exchange for cash are permitted.

4. Digital video surveillance shall be provided at all entrances/exits. The video must be accessible by employees on-site and must be approved by the Police Department.

5. All on-site food preparation shall be approved by the Health Department.

6. Occupancy of the building will be determined by the Suffolk Building Official and Suffolk Fire Marshall.

7. The hours of operation shall be limited as follows:
   Sunday – Thursday *9:00 a.m. to 11:00 p.m.*
   Friday – Saturday *9:00 a.m. to 12:00 a.m./midnight*

8. This property is located in the Suffolk Historic Conservation Overlay District and is subject to the standards of the Historic District Design Guidelines. Any exterior changes to the property will require a Certificate of Appropriateness.

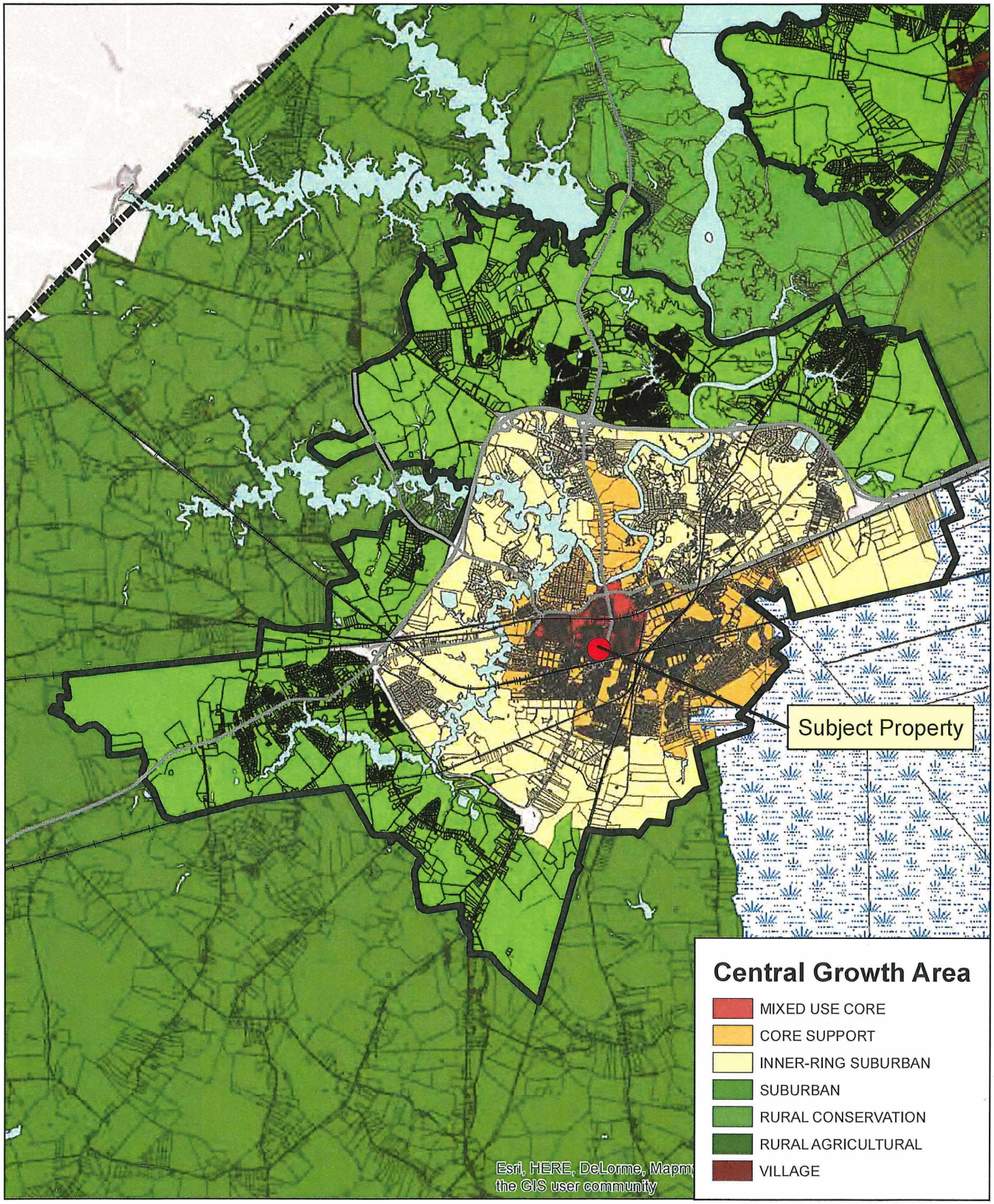
9. The applicant shall be responsible to ensure compliance with all local and state laws and ordinances of the City of the Suffolk and the Commonwealth of Virginia; this includes

but is not limited to: the Virginia Administrative Code, the Unified Development Ordinance, and the Virginia Uniform Statewide Building Code.

Attachments

- General Location Map
- Zoning / Land Use Map
- Narrative of Description of Proposed Use
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Proposed Conceptual Floor Plan

GENERAL LOCATION MAP
CUP2020-002



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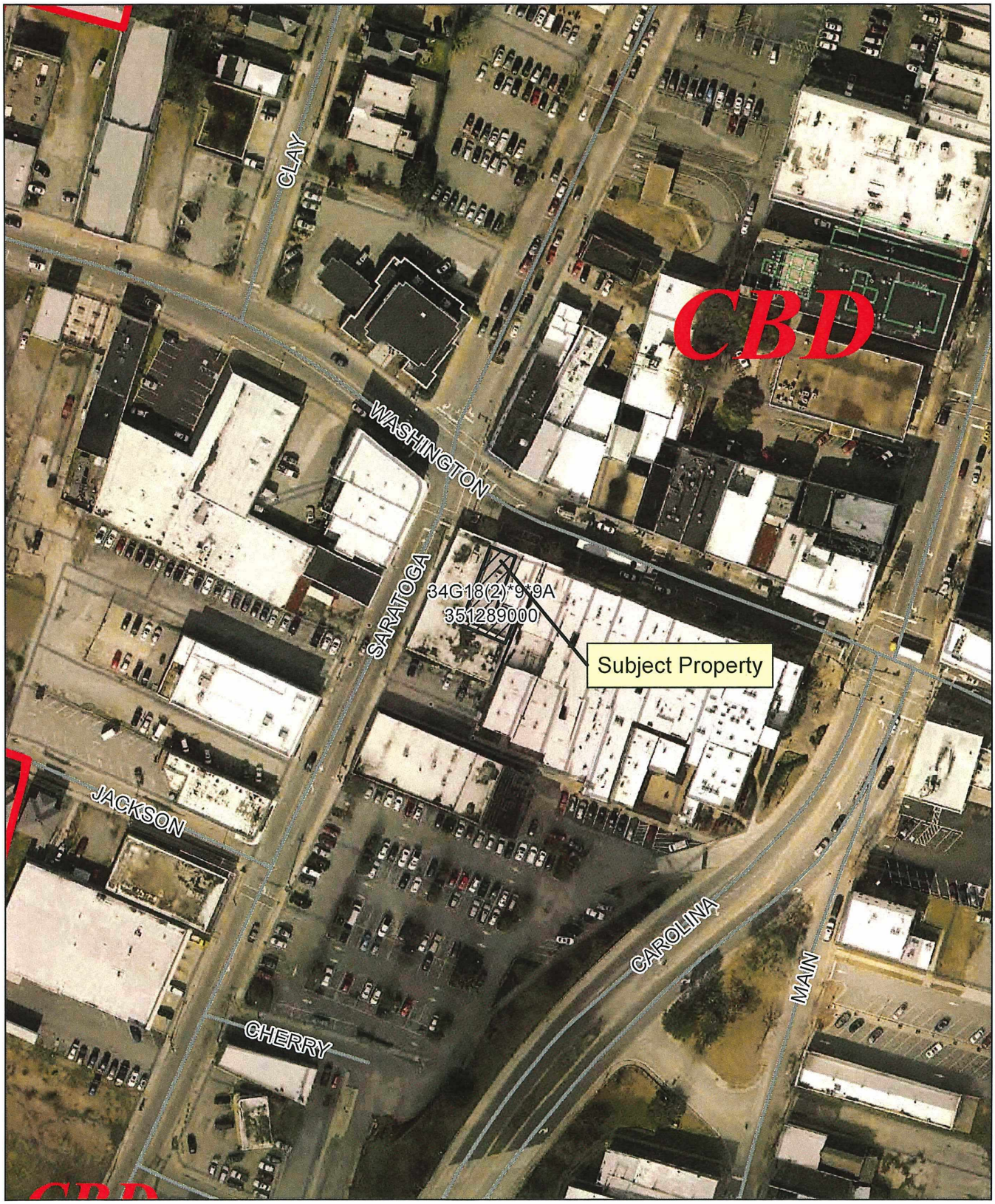
ZONING / LAND USE MAP
CUP2020-002



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Date: 2/27/2020

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PLANNING

Will-O-Wisp LLC

Narrative Description of Proposed Use

Will-O-Wisp LLC is a proposed retail tabletop game store and café to be located at 153 West Washington Street in Historic Downtown Suffolk. Patrons can expect a welcoming environment for the whole family with simple foods, retail games, space to play their favorite board and card games and a small toddler play area.

Our store will carry major brands such as Pokemon Trading Card Game, Magic the Gathering Trading Card Game, Dungeons and Dragons tabletop role play games, and others. As well as family favorite board games like Monopoly, Catan, and classic games like chess. Our retail space will allow patrons to purchase new games, cards, strategy books, and accessories like card protectors, dice, miniature figurines, and general game and brand related toys, collectables, and apparel or home decor and artwork. Occasionally a patron may wish to sell a collectible card to the store, we will provide store credit in such a case.

Our expected hours of operation will be 2pm to 8pm Tuesday through Friday, 12pm to midnight Saturday, and 12pm to 8pm Sunday. We will be closed on Mondays. We may open early once or twice a month during the week to accommodate the homeschool community. Our main sources of revenue will come from retail sales of game related items and food. Occasionally we will host classes and special events for small fees. We will also maintain a rental library of games for patrons to check out for a fee, then return when they are finished playing.

Playing games in Will-o-Wisp LLC is free and open to anyone. We will host regular free events for our patrons to get together, engage in the community, and play together. We will host limited events, which will not be free. These event fees will cover the costs of things like new cards, craft supplies, and other gaming supplies. The main trading card game brands regularly release new expansions on their games. The manufacturers grant early access to these expansions to game stores. These so-called pre-release parties allow our customers to purchase the newest content of their favorite games before they arrive at the big box stores. Some brands we will carry also have worldwide leagues, which will host regular in store events and tournaments. These tournaments often have a small fee to cover the cost of new cards and sometimes include prizes such as free cards, game accessories, or in store food items. There will be absolutely no gambling or cash prizes on any games.

A large aspect for some of the games we will provide involves crafting and painting miniature figures, table scenes and other accessories. We will provide paints and craft supplies both for purchase and for use in store during special crafting events. Just off the main dining space a smaller flex space will be used for both game play and these crafting events. This area will seat about 14 patrons.

Seating for approximately 36 people will be provided cafeteria style. This dining space will serve as a dual-purpose space for patrons to both play their favorite games and enjoy their meals. A small play area will also be located near the main dining space to entertain the youngest patrons while parents and older siblings play games nearby. This play area will have various toys and

activities for an age range of 12 months up to 4 years. We expect a maximum occupancy of less than 50 patrons.

Our small kitchen space will provide simple meals and snacks such as hot and cold sandwiches, chips, cookies, candy, and non-alcoholic beverages. Utilizing a sandwich press, crockpots, refrigerators, toaster ovens, and microwave ovens we will serve pulled pork sandwiches, grilled cheese sandwiches, chicken salad sandwiches, warm or cold lunchmeat sandwiches, and soups. We will provide bagged chips, candy, baked goods, canned sodas, and energy drinks. A small self-serve coffee bar will be located next to the main check-out counter near this kitchen space. Coffee cups will hang on the wall and a coffee urn on the counter along with creamers, sweeteners, and tea bags will be provided.

Two restrooms will be provided for patrons and staff, each with one sink and one toilet. The two-compartment sink located in the kitchen area will be upgraded to a three-compartment sink and handwashing station. No major changes will be made to the plumbing and will be used as it is currently configured.

The building, in general, will be used as it currently is and no major changes or modifications will be made to the building (unless required by code). The building will not be expanded and no additions will be added to the current layout.

Will-O-Wisp Family Game Store and Café will be fun for all ages and members of the family. It will provide simple foods and a safe place for children and adults to play their favorite table top games.

ORDINANCE NO. _____

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH AN AMUSEMENT/ENTERTAINMENT/RECREATION CENTER, INDOOR, ON PROPERTY LOCATED AT 153 WEST WASHINGTON STREET, ZONING MAP 34G18(2), PARCEL 9*9A; CUP2020-002

WHEREAS, Brian S. Stewart, 153 West Washington LLC, applicant and property owner, has requested a conditional use permit for an Amusement/entertainment/recreation center, indoor, on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 34G18(2), Parcel 9*9A, and which land is depicted on Exhibit "B", "Property Map"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Section 31-102 and Article 3, Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in the Code of Virginia (1950), as amended, Sections 15.2-2200 and 15.2-2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", and Exhibit "C", "Proposed Conceptual Floor Plan", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a conditional use permit, as submitted or modified with conditions herein, the expressed purpose of which is to establish an Amusement/entertainment/recreation center, indoor, that is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of an Amusement/entertainment/recreation center, indoor, is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the Property be, and it is hereby, approved for the Property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit specifically permits an Amusement/entertainment/recreation center, indoor, in compliance with Exhibit "C" (the "Proposed Conceptual Floor Plan"), and Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit is granted to establish an Amusement/ entertainment/recreation center, indoor, on property located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A.

2. In the event that alcohol will be served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

3. No gambling, cash prizes, or prizes in exchange for cash are permitted.

4. Digital video surveillance shall be provided at all entrances/exits. The video must be accessible by employees on-site and must be approved by the Police Department.

5. All on-site food preparation shall be approved by the Health Department.

6. Occupancy of the building will be determined by the Suffolk Building Official and Suffolk Fire Marshall.

7. The hours of operation shall be limited as follows:
   Sunday – Thursday *9:00 a.m. to 11:00 p.m.*
   Friday – Saturday *9:00 a.m. to 12:00 a.m./midnight*

8. This property is located in the Suffolk Historic Conservation Overlay District and is subject to the standards of the Historic District Design Guidelines. Any exterior changes to the property will require a Certificate of Appropriateness.

9. The applicant shall be responsible to ensure compliance with all local and state laws and ordinances of the City of the Suffolk and the Commonwealth of Virginia; this includes but is not limited to: the Virginia Administrative Code, the Unified Development Ordinance, and the Virginia Uniform Statewide Building Code.

Section 4. General Conditions.

(a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days written notice to the property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

(b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.

(c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: _____

TESTE: _____
Erika Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Exhibit A

RESOLUTION NO. 20-06-4

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT CUP2020-002 TO ESTABLISH AN AMUSEMENT/ENTERTAINMENT/RECREATION CENTER, INDOOR, ON PROPERTY LOCATED AT 153 WEST WASHINGTON STREET, ZONING MAP 34G18(2), PARCEL 9*9A; CUP2020-002

WHEREAS, Brian S. Stewart, 153 West Washington LLC, applicant and property owner, has requested the issuance of a conditional use permit for a certain tract of land situated in the City of Suffolk, Virginia, which land is described and depicted on the proposed Ordinance attached hereto and incorporated herein by reference; and

WHEREAS, the specific request is to permit an Amusement/entertainment/recreation center, indoor, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a conditional use permit, as submitted or modified herein:

_____ a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_____ b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,

_____ c) Will be no more injurious to property or improvements in the neighborhood, or

_____ d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2020-002, be:

_____ a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

_____ b) Denied, and that Council not adopt the proposed Ordinance.

_____ c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED:_____

TESTE:_____

CONDITIONAL USE PERMIT
CUP2020-002

CONDITIONS

1. This Conditional Use Permit is granted to establish an Amusement/ entertainment/recreation center, indoor, on property located at 153 W. Washington Street, Zoning Map 34G18(2), Parcel 9*9A.

2. In the event that alcohol will be served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

3. No gambling, cash prizes, or prizes in exchange for cash are permitted.

4. Digital video surveillance shall be provided at all entrances/exits. The video must be accessible by employees on-site and must be approved by the Police Department.

5. All on-site food preparation shall be approved by the Health Department.

6. Occupancy of the building will be determined by the Suffolk Building Official and Suffolk Fire Marshall.

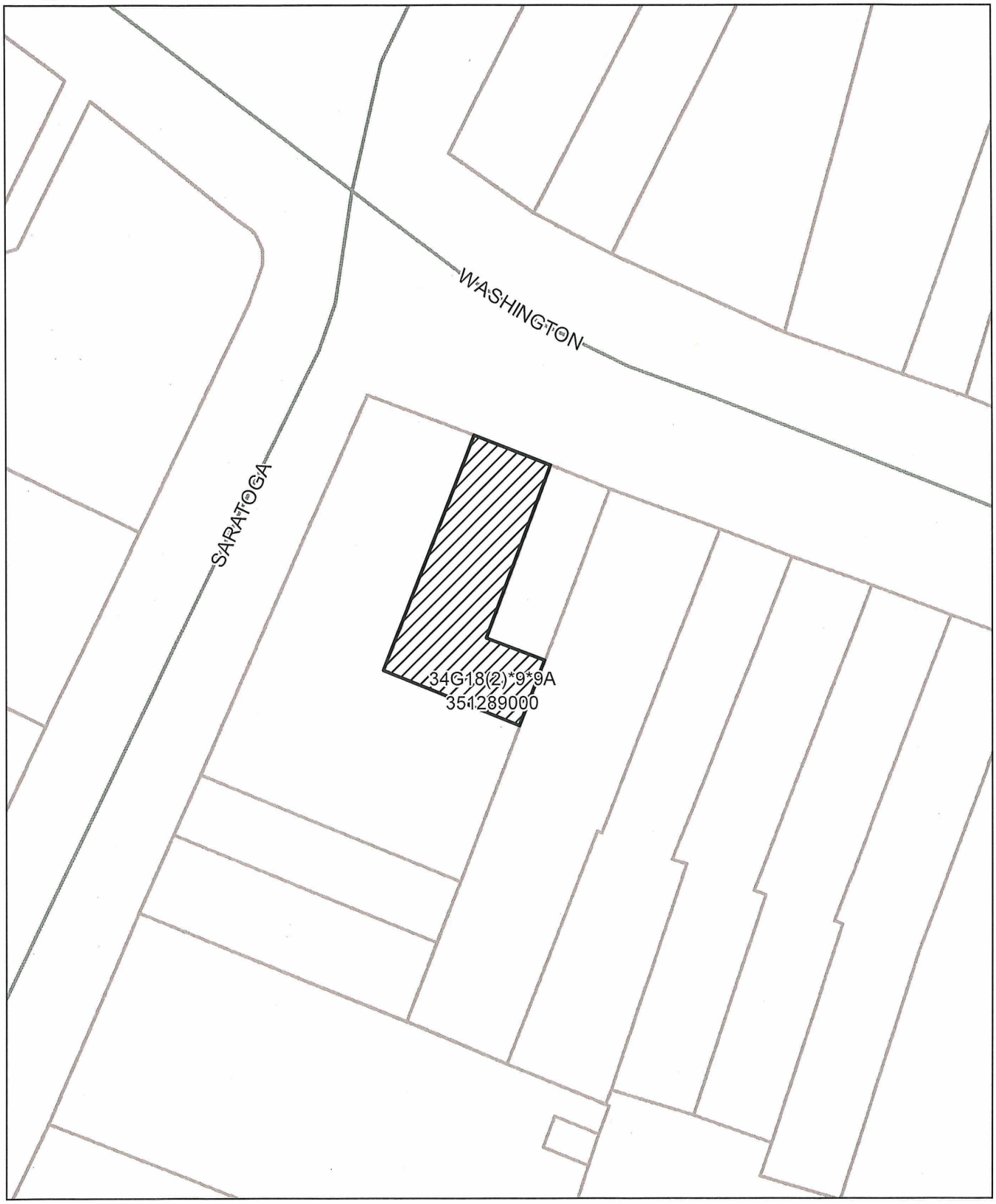
7. The hours of operation shall be limited as follows:
   Sunday – Thursday *9:00 a.m. to 11:00 p.m.*
   Friday – Saturday *9:00 a.m. to 12:00 a.m./midnight*

8. This property is located in the Suffolk Historic Conservation Overlay District and is subject to the standards of the Historic District Design Guidelines. Any exterior changes to the property will require a Certificate of Appropriateness.

9. The applicant shall be responsible to ensure compliance with all local and state laws and ordinances of the City of the Suffolk and the Commonwealth of Virginia; this includes but is not limited to: the Virginia Administrative Code, the Unified Development Ordinance, and the Virginia Uniform Statewide Building Code.

PROPERTY MAP
CUP2020-002

EXHIBIT B



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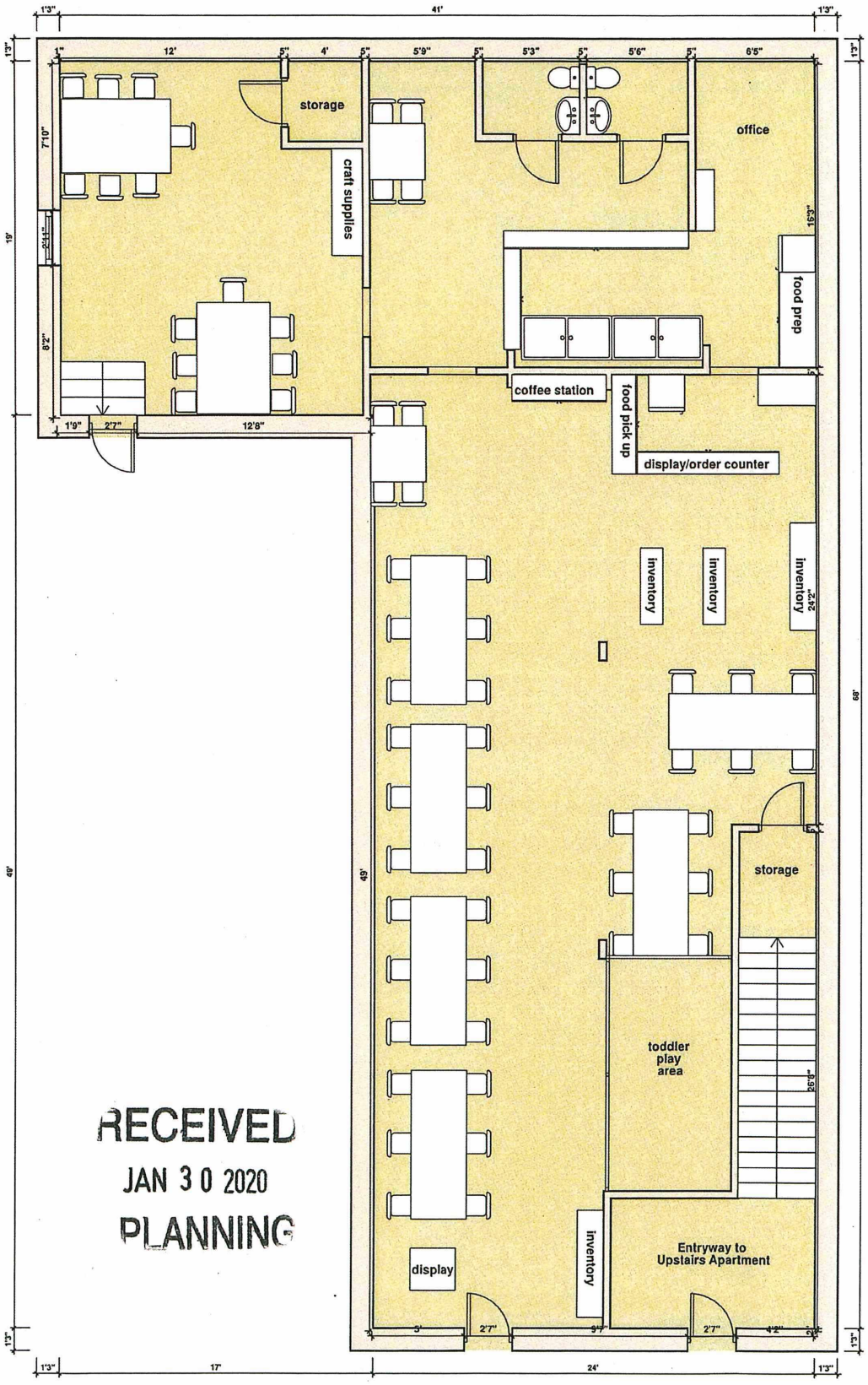
Date: 2/27/2020

EXHIBIT C
PROPOSED CONCEPTUAL FLOOR PLAN

153 W Washington Street Floor Plan



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CUP2020-002

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CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

June 16, 2020

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Exception Request CEX2020-001, submitted by Bobby Reed, Parker Crossing Inc., applicant, on behalf of Robert A. Park and Donna Park, property owner, in accordance with Section 31-415 of the Unified Development Ordinance, to grant an Exception to the development criteria and buffer area requirements of the Chesapeake Bay Preservation Area Overlay District to permit a black aluminum fence to encroach into the 100-foot Resource Protection Area Buffer, on property located at 2882 Cross Landing Drive, Zoning Map 26F, Parcel RB*88. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned PD, Planned Development Overlay District. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Suburban Use District.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Grace Braziel, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

David Hainley
Director of Planning and Community Development

/gb
Attachments

STAFF REPORT

DESCRIPTION

EXCEPTION REQUEST: CBPA Exception Request CEX2020-001, to grant an exception to the development criteria and buffer area requirements of the Chesapeake Bay Preservation Area Overlay District to permit a black aluminum fence to encroach into the 100-foot Resource Protection Area Buffer.

APPLICANT: Submitted by Bobby Reed, Parker Crossing Inc., applicant, on behalf of Robert A. Park and Donna Park, property owner.

LOCATION: The affected property is located at 2332 Cross Landing Drive, and is further identified as Zoning Map 26F, Parcel RB*88.

PRESENT ZONING: PD, Planned Development Overlay District.

EXISTING LAND USE: The subject parcel is located in the River Bluff subdivision and consists of an approximate area of 2.6 acres. The property features a two story single family dwelling and a white vinyl fence that extends across the side property lines to the 100-foot Resource Protection Area Buffer.

PROPOSED LAND USE: Install a black aluminum fence, 48" in height, to encroach into the 100-foot Resource Protection Area Buffer.

SURROUNDING LAND USES:

North – Single family homes zoned, PD, Planned Development Overlay District.

South – Single family homes zoned, PD, Planned Development Overlay District, and the Nansemond River

East – Single family homes zoned, PD, Planned Development Overlay District, and the Nansemond River.

West – Nansemond River and single family homes zoned, RC, Rural Compact zoning district, and, RM, Residential Medium zoning district.

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Suburban Use District.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Protection Area (RPA) and Resource Management Area (RMA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent on June 12, 2020.

CASE HISTORY: The subject property is located within the River Bluff subdivision of Hillpoint Farms. The lot was created in 2013 and the single family dwelling on the site was constructed in 2016. No encroachments or exceptions have been approved for the property.

STAFF ANALYSIS

ISSUE

The applicant is requesting an exception from the regulations of the Chesapeake Bay Preservation Area Overlay District to encroach into the 100-foot Resource Protection Area Buffer (RPA) for the construction of a black aluminum fence 48 inches in height. The proposed fencing will extend a total of 220 linear feet and encroach approximately 40 feet within the 50-foot landward portion of the 100-foot RPA buffer. There is no proposed impervious area to encroach within the buffer.

The applicant is proposing to install a black aluminum fence to extend from an existing white vinyl fence to enclose the rear yard. The current white vinyl fence is located outside of the RPA buffer and the proposed extension of aluminum fencing would encroach into the 50-foot landward portion of the buffer. The applicant has stated that no portion of the buffer inside or outside of the proposed fencing will be cleared. The proposed aluminum fence would not interrupt any surface flow; however, the installation of fencing to enclose a rear yard gives the appearance that the area within the fence can cleared for a grass yard. The installation of fencing within the 100-foot Resource Protection Area buffer consequently results to the clearance of the buffer located within the fenced area. As such, per guidance provided by the Department of Environmental Quality, the construction of fencing within the 100-foot RPA buffer is in conflict with the Chesapeake Bay Preservation Area regulations and requires the approval of an exception to such regulations.

Additionally, since there is no proposed impervious area to encroach within the buffer and there is no land disturbance associated with the installation of the fencing no replacement vegetation is required for mitigation.

CONSIDERATIONS AND CONCLUSIONS

1. This lot was platted and developed After the effective date of the City's 1990 adoption of the Chesapeake Bay Preservation Area Overlay District regulations. The current residential structure and white vinyl fencing on the property, which was constructed prior to the Chesapeake Bay Preservation Area Overlay District regulations, is located outside of the 100-foot RPA Buffer. The proposed location of the black aluminum fencing to extend off the existing vinyl fencing encroaches into the 50' landward portion of the buffer.

2. The Chesapeake Bay Preservation Overlay District, Section 31-415(d)(1)(A) specifies that tidal wetlands and non-tidal wetlands that are connected by surface flow and contiguous to water bodies with perennial flow are protected by a vegetated buffer area of not less than 100 feet in width located adjacent to and landward of wetlands. The property is located on the

tidal waters of the Nansemond River. The survey that shows the proposed location of the requested fence identifies the location of CBPA wetlands on the property and the corresponding 100-foot RPA Buffer.

3. In accordance with Section 31-415(d)(1)(D), Buffer Area Requirements, to minimize effects of human activities on the other components of the Resource Protection Area (RPA) Buffer, State waters, and aquatic life, a 100-foot buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering non-point source pollution from runoff shall be retained if present and established where it does not exist. Restoration and establishment of additional vegetation according to the CBLAD Riparian Buffer Manual is required in the RPA Buffer for the additional impervious surface area. Where practical, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment and will be equal to the area of encroachment into the buffer area shall be established elsewhere on the lot or parcel.

   The applicant is not proposing to clear any portion of the buffer located outside or inside the proposed fenced area. No portion of the 100-foot Resource Protection Area Buffer is proposed to be cleared and there is no land disturbance associated with the installation of the fencing; therefore, no vegetation is needed for mitigation. However, when located on private property and enclosed within a fenced yard, the property owner often develops the expression that the 100-foot RPA buffer may be disturbed or cleared in order to establish a turf lawn.

4. The Chesapeake Bay Preservation Area Overly District requirements were amended in November 2003 to comply with a change in state law. In accordance with Section 31-415(f)(5) of the Unified Development Ordinance, the Planning Commission shall review the request for an Exception since the proposed fence is considered an accessory structure. Currently the site does not have any impervious area or structures that encroach within the 100-foot buffer. The proposed linear footage of fencing within the buffer will be 220 feet, and the encroachment is approximately 40 feet.

5. Per Section 31-415(f)(5) of the Chesapeake Bay Preservation Overlay District, a request for an exception to the 'Development Criteria for Resource Protection Areas' and 'Buffer Area Requirements' shall be made in writing to the Planning Commission. It shall identify the impacts of the proposed exception on water quality and on lands within the Resource Protection Area through a Water Quality Impact Assessment. The Planning Commission may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of the Overlay District if the following findings are made:

   a. *Granting the Exception will not confer upon the applicant any special privileges that are denied by this Ordinance to other property owners in the Preservation Area District.*

      This exception request involves the installation of a fence to enclose a rear yard on a lot that was recorded after the Chesapeake Bay Preservation Area regulations. With this request the applicant is proposing to install 220 linear feet of aluminum fencing within the 50-foot landward portion of the buffer. The

installation of fencing within the 100-foot RPA buffer gives the intent that the area within the fence is able to be cleared resulting in clearance of the buffer. Additionally, the proposed fence is able to be installed outside of the 100-foot buffer. Similar requests have consistently been denied, as such, this request would confer special privileges that have been denied to other property owners.

b. *The exception request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels.*

The subject lot was created in 2013 and the residential structure on the property was constructed in 2016 after the adoption of the Chesapeake Bay Preservation Area regulations. There is currently a white vinyl fence that does not encroach into the buffer that extends down the side property lines. The proposed fencing is able to be installed in a way to provide an enclosed rear yard for the property owners while staying outside of the 100-foot RPA buffer. Staff does believe that this request is based upon conditions that are self-imposed.

c. *The exception request is the minimum necessary to afford relief.*

As previously stated, the requested installation of a black aluminum fence is proposed to be located within the 50-foot landward portion of the buffer. The requested fence is able to be placed outside the 100-foot RPA buffer and be installed to provide the property owners an enclosed rear yard. Staff believes this request adversely impacts the 100-foot RPA buffer and as such the encroachment exceeds the threshold of the minimum necessary to afford relief.

d. *The exception request will be consistent with the purpose and the intent of the Preservation Area District, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality.*

Currently there is no encroachment of impervious area or structures within the 100-foot RPA buffer at the subject property. This is due to the fact that the lot and residential structure was constructed after the adoption of the Chesapeake Bay Preservation Act. The installation of fencing within the 100-foot RPA buffer on this property is not consistent with the intent of the Preservation Area District.

e. *Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.*

The proposed aluminum fence is relatively open and would not interrupt any surface flow on the site. Additionally, the applicant has stated that the portion of the buffer located within the fenced area would not be cleared and would be left untouched. The requested fence to encroach into the 50-foot landward portion of

the buffer would not cause a degradation of water quality as proposed by the applicant.

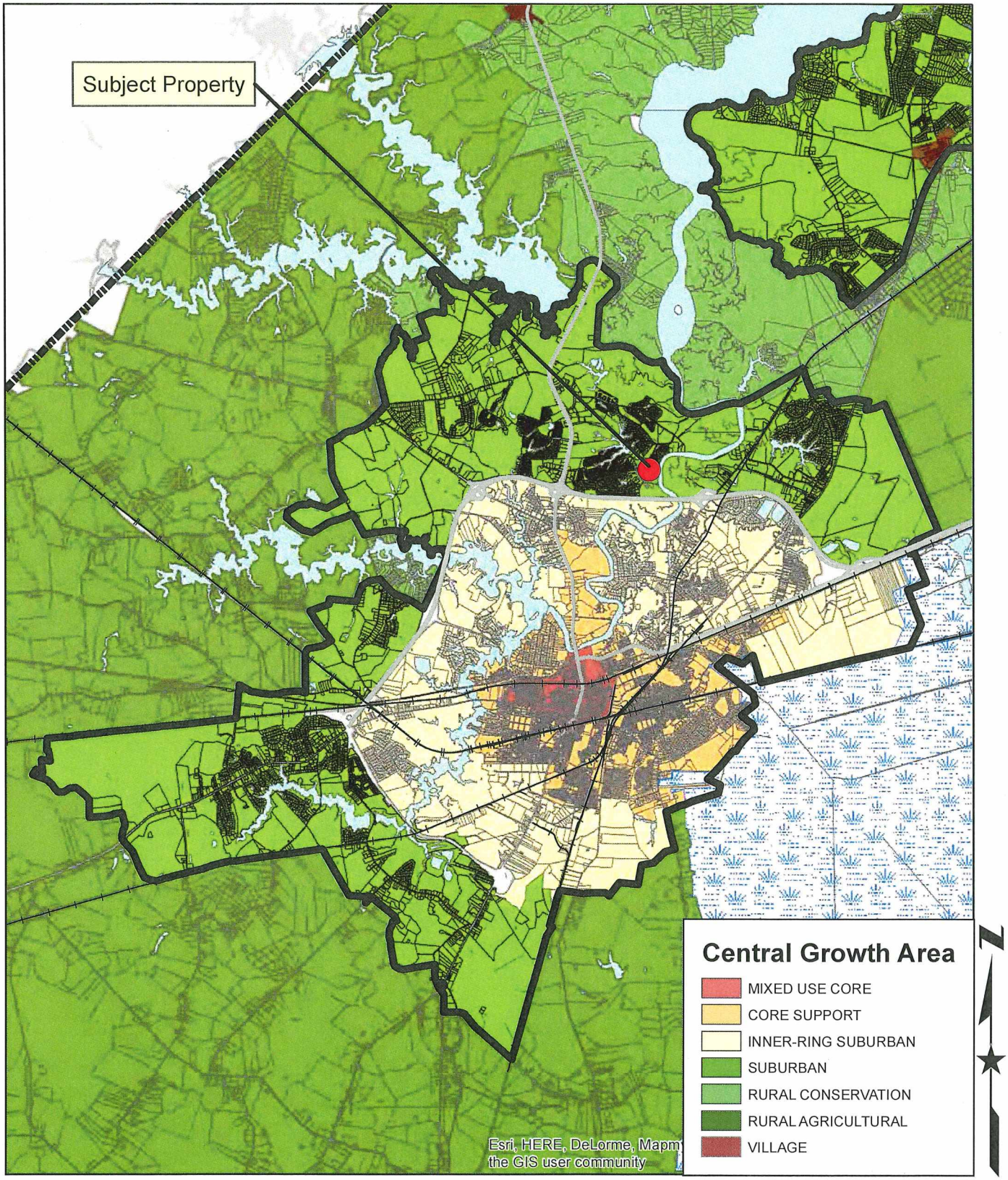
RECOMMENDATION

Staff finds that the applicants' request does not satisfy the criteria outlined in Section 31-415(f)(5)(C) of the UDO to grant an exception to the requirements of the Chesapeake Bay Preservation Area Overlay District. The applicants request for the encroachment of a fence within the 100-foot Resource Protection Area Buffer is inconsistent with the intent and purpose of the Chesapeake Bay Overlay. Additionally, the request is not the minimum necessary to afford relief because the proposed fencing is able to be placed outside of the buffer and be installed to provide an enclosed rear yard. In that regard, staff recommends **denial** of Exception Request CEX2020-001:

Attachments

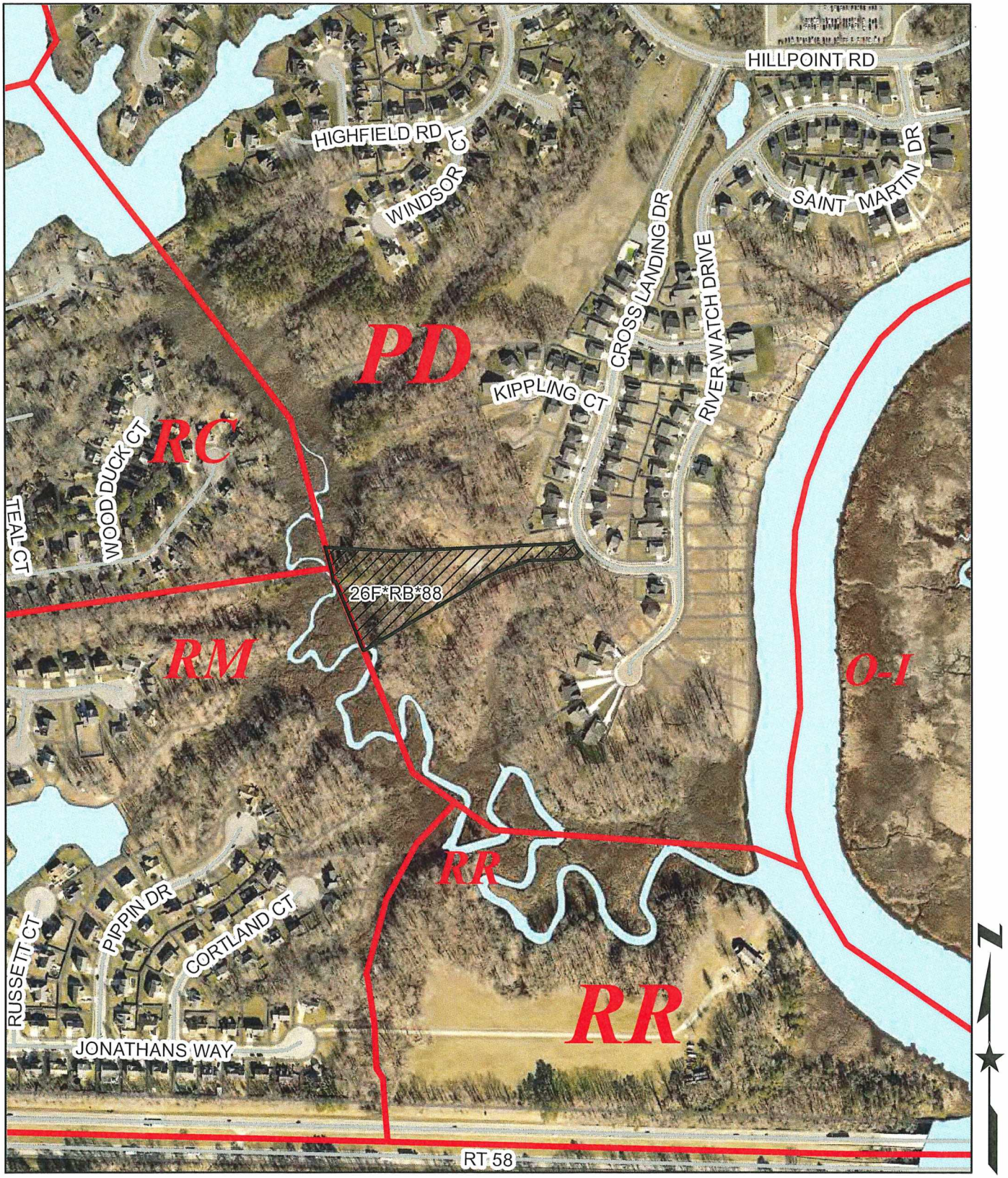
- General Location Map
- Zoning / Land Use Map
- Project Narrative
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Survey
- Exhibit D – Site Layout
- Exhibit E – Proposed Fence

GENERAL LOCATION MAP
CEX2020-001



User Name: bsmith
Date: 1/24/2020

ZONING / LAND USE MAP
CEX2020-001



User Name: bsmith
Date: 1/24/2020

OCEAN BAY
HOME, INC.

242 Mustang Trail
Suite 1
Virginia Beach, VA 23452

RECEIVED
JAN 14 REC'D
PLANNING

To Whom it May Concern:

We are submitting an encroachment application to install approximately 220 linear feet of 48" black aluminum fence into the RPA. Due to the configuration of the lot, we are requesting to install the fence in the RPA to enlarge the backyard. There will not be any land disturbance or tree removal. The entire RPA area will remain in a natural state. The fence will be installed in a manner to avoid any trees. No equipment will be utilized during the fence installation. All work will be conducted by hand. We are willing to install any buffer plants or trees as required. The owners really love the wooded backyard and have no intentions of ever removing any trees or doing and land disturbance. Please see all attached supporting documentation.

1. Site plan with aerial photo showing overlay
2. Water quality calculations
3. Application for encroachment with applicable fee determined - $262.50
4. Photos of existing lot conditions around the house and in the woods at the approximate proposed fence location.
5. Pictures showing sample proposed fence
6. Site plan marked up showing proposed fence encroachment

Sincerely

Bobby Reed

Ocean Bay Homes, Inc.

Exhibit A

RESOLUTION NO. 20-06-05

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION FOR A CHESAPEAKE BAY PRESERVATION AREA EXCEPTION REQUEST FOR PROPERTY LOCATED AT 2882 CROSS LANDING DRIVE CEX2020-001

WHEREAS, Bobby Reed, Parker Crossing Inc., applicant, on behalf of Robert A. Park and Donna Park, property owner, has submitted an exception request for review pursuant to the provisions of the City of Suffolk's Chesapeake Bay Preservation Area Overlay District Ordinance, which plans are attached hereto as Exhibit "C" and incorporated herein and hereafter referred to as the plans; and

WHEREAS, the specific request is that an exception be granted under Section 31-415(f)(5) of the Unified Development Ordinance to permit a black aluminum fence to encroach into the 100-foot Resource Protection Area buffer; and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission:

_____ a) finds

_____ b) does not find

1. Granting the exception will not confer upon the applicant any special privileges that are denied by this Ordinance to other property owners in the Preservation Area District;

2. The Exception request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or nonconforming that are related to adjacent parcels;

3. The exception request is the minimum necessary to afford relief;

4. The exception request will be consistent with the purpose and the intent of the Preservation Area District, not injurious to the neighborhood or

otherwise detrimental to the public welfare, and is not of substantial detriment to water quality; and

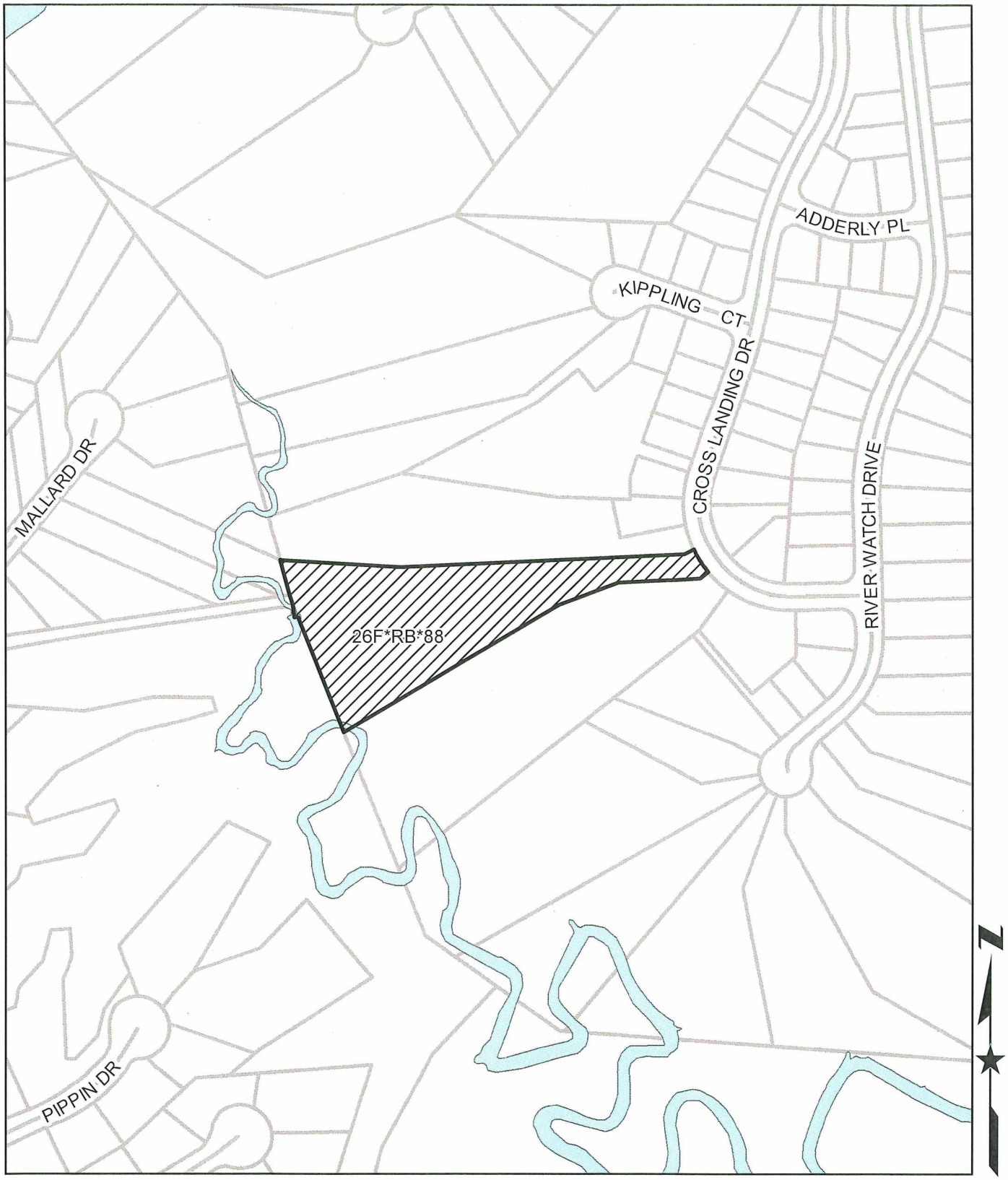
5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

READ AND ADOPTED:_____

TESTE:_____

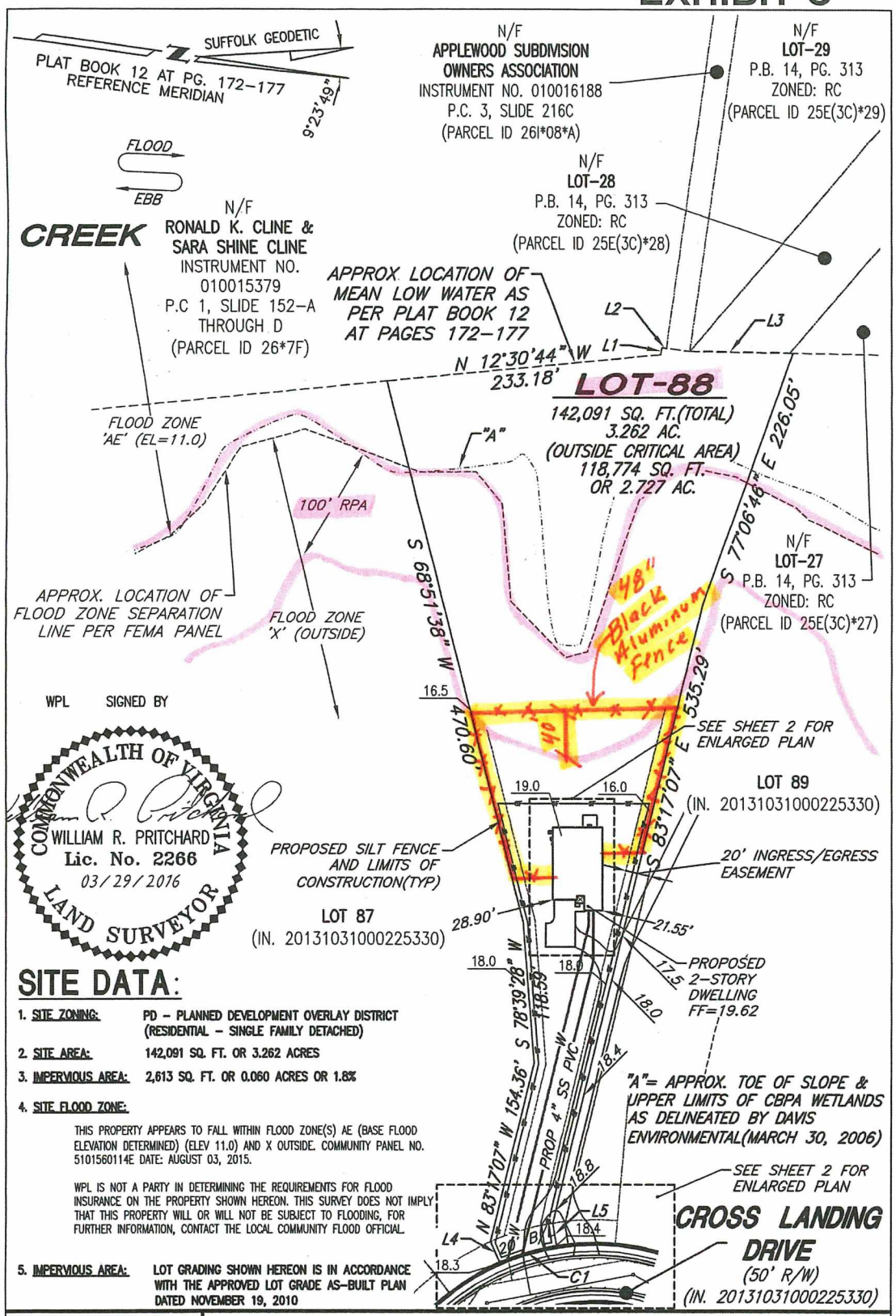
PROPERTY MAP
CEX2020-001

EXHIBIT B



User Name: bsmith
Date: 1/24/2020

EXHIBIT C



WPL SIGNED BY

COMMONWEALTH OF VIRGINIA
WILLIAM R. PRITCHARD
Lic. No. 2266
03/29/2016
LAND SURVEYOR

SITE DATA:

1. SITE ZONING: PD - PLANNED DEVELOPMENT OVERLAY DISTRICT (RESIDENTIAL - SINGLE FAMILY DETACHED)
2. SITE AREA: 142,091 SQ. FT. OR 3.262 ACRES
3. IMPERVIOUS AREA: 2,613 SQ. FT. OR 0.060 ACRES OR 1.8%
4. SITE FLOOD ZONE:

THIS PROPERTY APPEARS TO FALL WITHIN FLOOD ZONE(S) AE (BASE FLOOD ELEVATION DETERMINED) (ELEV 11.0) AND X OUTSIDE. COMMUNITY PANEL NO. 5101560114E DATE: AUGUST 03, 2015.

WPL IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN HEREON. THIS SURVEY DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE SUBJECT TO FLOODING, FOR FURTHER INFORMATION, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.

5. IMPERVIOUS AREA: LOT GRADING SHOWN HEREON IS IN ACCORDANCE WITH THE APPROVED LOT GRADE AS-BUILT PLAN DATED NOVEMBER 19, 2010

wpl
Landscape Architecture
Land Surveying
Civil Engineering
wplsite.com 757.431.1041
242 MUSTANG TRAIL STE 8 VIRGINIA BEACH, VA 23452

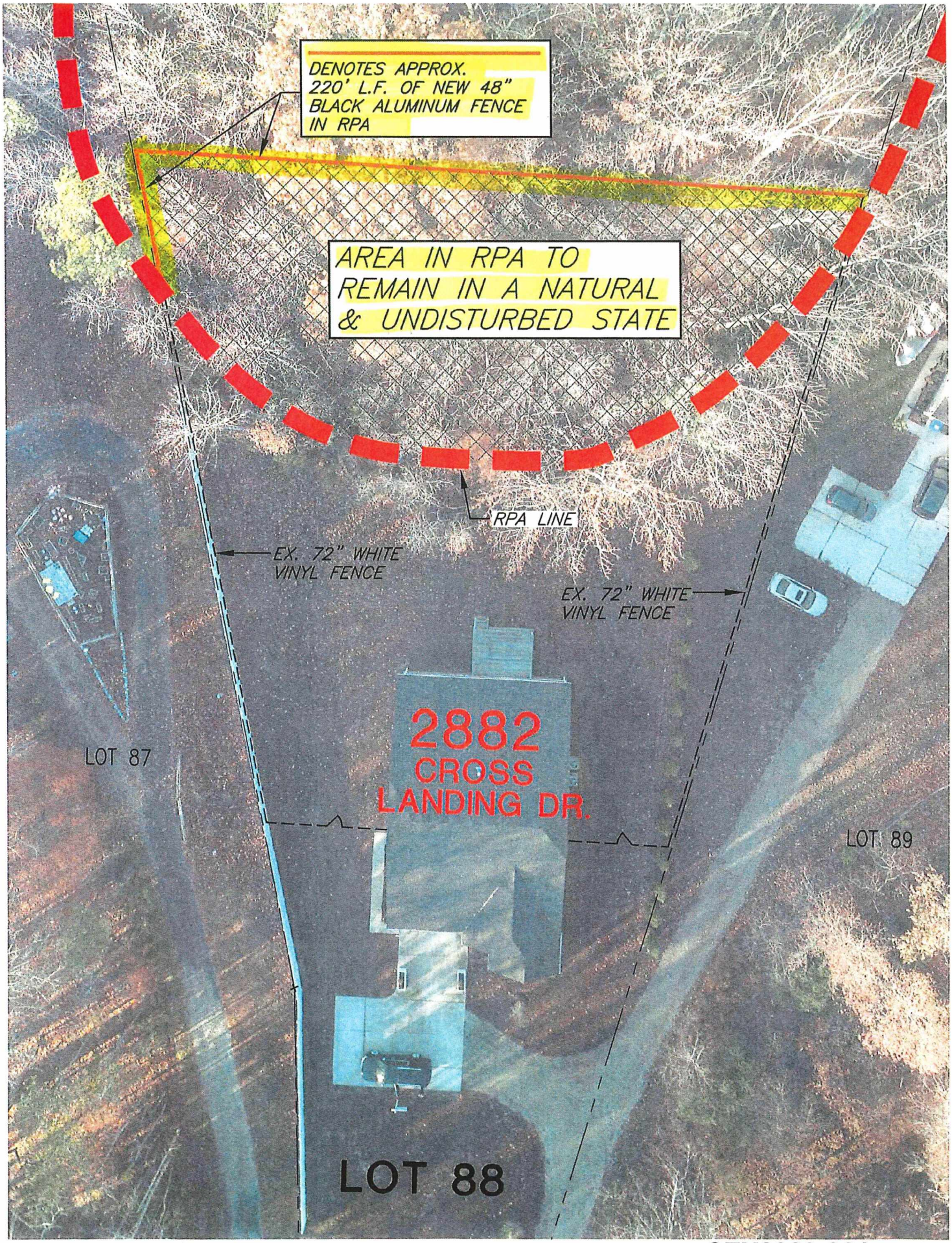
SHEET 1 OF 5

SITE PLAN
OF
LOT-88
SUBDIVISION OF
RIVER BLUFF AT HILL POINT (PHASE II)
(PARCEL N-2, HILLPOINT FARMS PHASE 2), (P.B. 12, PG. 172-177)
PLAT RECORDED AS INSTRUMENT NO. 20131031000225330 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF SUFFOLK, VIRGINIA
SUFFOLK, VIRGINIA
EXCLUSIVELY For
SCALE: 1" = 80' **PARKER CROSSING, L.L.C.** MARCH 23, 2016

CAD/chk: BKM/wrp	CITY OF SUFFOLK, VIRGINIA	F.B. N/A PG. N/A	PLAT: R-586	JN: 211-0400

CEX2020-001

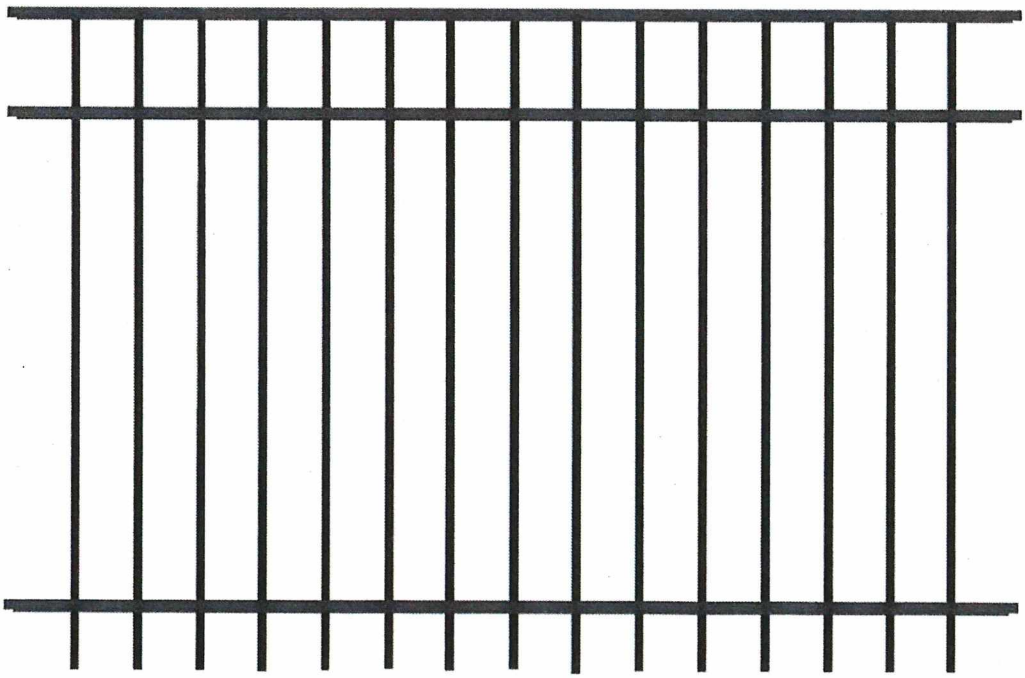
EXHIBIT D



CEX2020-001

EXHIBIT E

RECEIVED
JAN 14 REC'D
PLANNING



CEX2020-001

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RESULTS OF THE CITY COUNCIL MEETING OF February 5, 2020

Approved w/conditions

A. REZONING REQUEST, RZN2019-007, (Conditional), Foxfield Meadows: to amend the previously approved proffered conditions, for property located at 1241 Pitchkettle Road, Zoning Map 34, Parcels 24A.

Approved w/conditions

B. CONDITIONAL USE PERMIT REQUEST, CUP2019-007, 361 E. Washington Street, Day Care Center: to grant a Conditional Use Permit to establish a Day Care, Child Day Center, on property located at 361 E. Washington Street, Zoning Map 34G25(A), Parcel B.

Approved w/conditions

C. CONDITIONAL USE PERMIT REQUEST, CUP2019-017, Banquet Facility: to grant a Conditional Use Permit to establish a Public Assembly not Otherwise Enumerated (Banquet Facility), on property located at 127 E. Washington Street, Zoning Map 34G18(A), Parcel 284.

RESULTS OF THE CITY COUNCIL MEETING OF February 19, 2020

Approved w/amended proffers

A. REZONING REQUEST, RZN2019-012, (Conditional), Factory Street: to change the zoning from M-2, Heavy Industrial zoning district, to RU, Residential Urban zoning district, and B-2, General Commercial zoning district, for property located at 611 and 711 Factory Street, Zoning Map 35H(3), Parcels X14, X*14A, and X17.

Approved w/conditions

B. CONDITIONAL USE PERMIT REQUEST, CUP2019-018, Celebration Christian Church: to grant a Conditional Use Permit to establish a Place of Worship, small, under 6,000 square feet in main sanctuary, on property located at 2484 Pruden Boulevard, Zoning Map 25A(7), Parcels B*1 and B*2.

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CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

June 16, 2020

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached, for informational purposes, please find a summary pertaining to Preliminary Subdivision Plats that have been approved since your previous meeting on January 21, 2020. Please contact either myself or Kevin Wyne, Current Planning Manager, if you have any questions relating to in advance of the meeting.

Respectfully submitted,

David Hainley,
Director of Planning and Community Development

/kmw

Attachments

Preliminary Subdivision Plat Approval Summary

PSB2019-00002 Brewers Meadow South: The proposed subdivision is located within the RLM, Residential Low Medium Density zoning district (Conditional RZN2018-013) and will contain 68 single family residential lots. The parent parcel, Tax Map 33, Parcel 71A contains 28.74 acres, of which 5.3 acres is located within critical areas, leaving 23.44 acres developable. On December 18, 2018, approval of Rezoning Request RZN2018-013 was granted by City Council, rezoning the property from RL, Residential Low Density zoning district to RLM, Residential Low Medium Density zoning district, authorizing the development of a residential single family detached cluster subdivision of no more than 68 lots. The subdivision is anticipated to be constructed in one (1) phase total. An engineering plan has yet to be submitted for this project.

No action is required on this item as it is presented for your information only. Attached, please the approved Preliminary Subdivision Plat, PSB2019-00002, approved May 19, 2020.

PSB2020-00002 Port Logistics Center: This proposed subdivision is located within the M-1, Light Industrial, and M-2, Heavy Industrial zoning districts and will create 21 new lots for industrial/commercial use. Of these 21 lots, 14 are planned for future development consistent with existing uses at the Port Logistics site. The balance will serve as BMP (stormwater) parcels.

A final subdivision has been submitted for this site and is ready to be approved. Several other development applications, including an engineering plan for the extension of Enterprise Drive and related right-of-way improvements, a site plan for a 348,000 square foot warehouse/distribution building on lot 10, and a 350,000 square foot warehouse/distribution center on lot 11 have been approved.

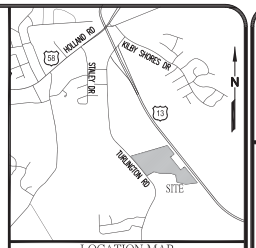
No action is required on this item as it is presented for your information only. Attached, please the approved Preliminary Subdivision Plat, PSB2020-00002, approved April 30, 2020.

Attachments

- Approved Preliminary Subdivision Plat PSB2019-00002
- Approved Preliminary Subdivision Plat PSB2020-00002

PRELIMINARY CLUSTER SUBDIVISION PLAT
FOR
BREWERS MEADOW SOUTH

TAX PARCEL 33*71A
TURLINGTON ROAD
HOLY NECK BOROUGH, SUFFOLK, VIRGINIA



LOCATION MAP
SCALE: 1"=2000'

BREWERS MEADOWS SOUTH PROFFERS

ORDINANCE NUMBER 18-10-3 DATED 12/18/18

1. A CASH CONTRIBUTION SHALL BE MADE TO THE CITY OF SUFFOLK TO ADVANCE THE CAPACITY FOR ADDITIONAL STUDENTS AT THE ELEMENTARY SCHOOL LEVEL. THIS CONTRIBUTION WILL BE BASED ON THE STUDENT GENERATION RATE OUTLINE IN SECTION 31-601 OF THE UNIFIED DEVELOPMENT ORDINANCE, AS AMENDED, MULTIPLIED BY $28,975.34 FOR EACH STUDENT GENERATED. THIS CONTRIBUTION WILL BE PRORATED AMONG THE SINGLE-FAMILY UNITS CONSTRUCTED AND MADE UPON ISSUANCE OF OCCUPANCY PERMIT FOR EACH DWELLING UNIT.
2. THE PROPERTY WILL BE DEVELOPED AS A CLUSTER SUBDIVISION AND WILL CONTAIN NO MORE THAN 68 SINGLE-FAMILY DWELLING UNITS.
3. EACH DWELLING UNIT SHALL CONTAIN A MINIMUM OF 2,000 SQUARE FEET OF HEATED LIVING SPACE.

CLUSTER DEVELOPMENT RESIDENTIAL ARCHITECTURAL DESIGN FEATURES

1. NOT LESS THAN THREE RESIDENTIAL ELEVATIONS SHALL BE OFFERED WHICH HAVE DIFFERENCES IN THE CHOICE OF FACADES, ROOF LINES, AND EXTERIOR COLORS.
2. NO TWO RESIDENTIAL STRUCTURES WITH THE SAME FRONT FACADE SHALL BE LOCATED ON THE SAME SIDE OF THE STREET WITHIN THREE BUILDING LOTS OF EACH OTHER. FACADE REVERSAL SHALL BE CONSIDERED DISSIMILAR APPEARANCE.
3. GARAGE FRONTS SHALL BE DE-EMPHASIZED AND NOT BE THE MOST PROMINENT ARCHITECTURAL FEATURE OF THE HOUSE. THE FRONT FACADE SHALL PROMINENTLY FEATURE AN ENTRANCE FOR PERSONS RATHER THAN AUTOMOBILES (SUCH AS A FRONT PORCH OR COURTYARD) WITH THE GARAGE AREA NOT TO EXCEED 50 PERCENT OF THE FIRST FLOOR OF THE FRONT FACADE.
4. CORNER LOTS SHALL HAVE SIDE-ENTRY GARAGES. CARPORTS SHALL BE ARCHITECTURALLY INTEGRATED WITH THE SAME MATERIALS AS THE PRINCIPAL STRUCTURE.
5. DRIVEWAYS AND WALKWAYS SHALL BE CONSTRUCTED OF CONCRETE, BRICK, STAMPED CONCRETE OR SIMILAR MATERIAL. DRIVEWAYS AND OTHER IMPERVIOUS SURFACES SHALL NOT COMPROMISE MORE THAN 50 PERCENT OF THE FRONT YARD OR FRONT LOT LINE. ONLY MATERIALS APPROVED BY THE CITY OF SUFFOLK WILL BE ALLOWED IN THE PUBLIC RIGHT OF WAY.
6. NOT MORE THAN 50 PERCENT OF THE HOMES SHALL BE ONE STORY UNLESS THE DEVELOPMENT QUALIFIES AS AN EXEMPT RETIREMENT COMMUNITY UNDER BOTH THE FEDERAL HOUSING AND URBAN REDEVELOPMENT LAWS.
7. TWO-STORY HOMES SHALL HAVE A MINIMUM FLOOR AREA OF 1,600 SQUARE FEET. ONE-STORY HOMES SHALL HAVE A MINIMUM FLOOR AREA OF 1,500 SQUARE FEET.
8. DISTINCTIVE ARCHITECTURAL DETAILS SUCH AS BUT NOT LIMITED TO COVERED FRONT ENTRIES, COVERED FRONT PORCHES, ENHANCED DOOR AND WINDOW DETAILS, GABLE OVERHANGS, SIX-INCH FRIEZE OR DENTAL FRIEZE ON GABLES, TAPERED BOX COLUMNS ON BRICK OR STONE BASES SHALL BE PROVIDED ON EACH STRUCTURE.
9. PRIMARY ENTRYWAYS AND LANDINGS VISIBLE FROM THE STREET RIGHT-OF-WAY AND PUBLIC AREAS SHALL BE PROVIDED ON ALL HOMES AND SHALL HAVE A MINIMUM AREA OF 24 SQUARE FEET.
10. IT IS RECOMMENDED THAT PRIMARY ENTRYWAYS, PORCHES AND LANDINGS VISIBLE FROM PUBLIC AREAS BE COVERED BY A ROOF THAT IS AN INTEGRATED AND COMPATIBLE COMPONENT TO THE ROOF AND ARCHITECTURAL TREATMENT OF THE PRINCIPAL STRUCTURE WHERE APPROPRIATE.
11. NOT LESS THAN 16 PERCENT OF THE TOTAL AREA OF ANY FRONT FACADE (EXCLUDING GARAGE DOORS) SHALL CONSIST OF WINDOWS AND DOORS.
12. NOT LESS THAN EIGHT PERCENT OF THE TOTAL AREA OF ANY SIDE OR REAR FACADE SHALL CONSIST OF WINDOWS AND DOORS. THE DIRECTOR OF PLANNING MAY REDUCE OR WAIVE THE SIDE AND REAR FACADE FENESTRATION REQUIREMENTS WHEN HE DETERMINES THAT THE PROPOSED FENESTRATION LEVEL OF THE ENTIRE BUILDING IS THE MAXIMUM REASONABLE PRACTICABLE LEVEL UNDER THE CIRCUMSTANCES, OR, WHERE A GARAGE CONSTITUTES A SIDE WALL OR REAR WALL.
13. TRASH CONTAINERS AND RECYCLING BINS SHOULD BE COMPLETELY SCREENED FROM VIEW OF THE STREET AND ANY ADJOINING LOT.
14. EXTERIOR MATERIALS AND FINISHES SUCH AS BRICK, STONE, WOOD, CLAPBOARD, CEDAR SHAKE, HARDBOARD, FIBRE CEMENT OR SIMILAR MATERIAL SHALL BE PROVIDED ON ALL EXTERIOR ELEVATIONS ON NOT LESS THAN 50 PERCENT OF ALL BUILDINGS. HIGH GRADE VINYL MAY BE USED AS ACCENT OR TRIM MATERIAL ON ANY RESIDENTIAL BUILDING.
15. ROOF MATERIALS SHALL CONSIST OF A MINIMUM 30-YEAR ARCHITECTURAL SHINGLES OR EQUIVALENT.
16. SKIRTING SHALL BE OF BRICK, STONE OR STONE-FACED BLOCK.
17. EXTERIOR CHIMNEYS CONSTRUCTED OF BRICK OR STONE ARE ACCEPTABLE ON ANY BUILDING. WHERE THE STRUCTURE IS NOT CONSTRUCTED OF BRICK OR STONE, THE EXTERIOR CHIMNEY SHALL BE CONSTRUCTED OF THE SAME EXTERIOR MATERIAL OF THE FACADE.
18. ALL FENCING, BOTH ON LOT AND PERIMETER TO THE DEVELOPMENT OR PROJECT, SHALL BE DESIGNED IN ACCORDANCE WITH ARTICLE 6 OF THIS ORDINANCE.
19. HARMONIOUS USE OF BUILDING MATERIALS MAY BE REQUIRED THROUGH DEED RESTRICTIONS AND/OR COVENANTS.
20. A CUSTOMIZED ENTRANCE SHALL BE PROVIDED AT THE ENTRY STREET INTERSECTING THE ARTERIAL OR MAJOR COLLECTOR WHICH FEATURES A WATERFALL, SCULPTURE, MONUMENT, SIGNAGE, SPECIAL LANDSCAPING, SPECIALTY PAVEMENT, ENHANCED FENCE WALL DETAILS, OR BOULEVARD MEDIAN.
21. ALL RESIDENTIAL STRUCTURES SHALL BE CONSTRUCTED ON A MINIMUM 16-INCH RAISED SLAB OR CRAWL SPACE.

BREWERS MEADOWS SUBDIVISION VARIANCE REQUEST ORDINANCE # 19-O-047

AN ORDINANCE TO GRANT A VARIANCE TO THE STREET IMPROVEMENT STANDARDS OF SECTION 31-612 OF THE UNIFIED DEVELOPMENT ORDINANCE IN ORDER TO GRANT RELIEF FROM THE MAXIMUM CUL-DE-SAC/DEAD-END STREET LENGTH STANDARDS, ON PROPERTY LOCATED AT ZONING MAP 33, PARCEL 71A; SBV2019-001.

APPROVED BY SUFFOLK CITY COUNCIL AT THEIR JUNE 19, 2019 MEETING.

SITE STATISTICS:

OWNER/DEVELOPER:	GALBERRY CORPORATION P.O. BOX 6186 CHESAPEAKE, VIRGINIA 23323 757 686 3345
TAX PARCEL:	33*71A
CURRENT ZONING:	RLM (RZN2018-013) (CONDITIONAL)
USE:	RESIDENTIAL CLUSTER - SINGLE FAMILY DETACHED
BUILDING SETBACKS: FRONT:	20 FT.
SIDE:	5 FT.
REAR:	10 FT.
TOTAL AREA:	28.74 ACRES
TOTAL CRITICAL AREA:	5.30 ACRES
NET DEVELOPABLE AREA:	28.74 - 5.30= 23.44 ACRES
MAXIMUM DENSITY ALLOWED:	2.9 UNITS/ACRE OR 23.44(2.9) = 68 UNITS
TOTAL LOTS PROVIDED:	68
REQUIRED OPEN SPACE:	23.44 ACRES X 45% = 10.55 ACRES
REQUIRED OPEN SPACE WITHIN CRITICAL AREAS:	10.55 ACRES X 25% = 2.64 ACRES
REQUIRED OPEN SPACE OUTSIDE CRITICAL AREAS:	10.55 ACRES - 2.64 = 7.92 ACRES
REQUIRED ACTIVE OPEN SPACE:	10.55 ACRES X 5% = 0.53 ACRE
PROVIDED PASSIVE OPEN SPACE:	8.24 ACRES
PROVIDED CRITICAL AREA OPEN SPACE:	2.64 ACRES
PROVIDED ACTIVE OPEN SPACE:	0.53 ACRES
PROVIDED OPEN SPACE:	11.41 ACRES
PHASES:	SINGLE PHASE PROJECT

ALL LOTS MEET OR EXCEED THE MINIMUM LOT WIDTH REQUIREMENTS. BUILDING SETBACK LINES ARE IN ACCORDANCE WITH RC ZONING REQUIREMENTS.

PASSIVE OPEN SPACE:

OPEN SPACE A	30825 SF	0.708 AC
OPEN SPACE B	5506 SF	0.126 AC
OPEN SPACE C	269195 SF	6.180 ACS
OPEN SPACE D	60170 SF	1.381 ACS
OPEN SPACE E	207980 SF	4.774 ACS
TOTAL OPEN SPACE	358809 SF	13.169 ACS

LEGEND

EXISTING	PROPOSED	
		ASPHALT
		CONCRETE
		CONCRETE CURB
		CONCRETE CURB AND GUTTER
		TOP OF BANK
		SWALE
		TOE OF SLOPE
		TREE LINE
		TREE
		ACTIVE OPEN SPACE
		WETLANDS
		DISTURBED WETLANDS
		RIGHT-OF-WAY
		PROPERTY LINES
		EASEMENT LINES
		FLOOD LINE
20		CONTOUR LINES

SHEET SCHEDULE:

C-1	COVER SHEET
C-2	OVERALL PLAN
C-3	LAYOUT PLAN
C-4	LAYOUT PLAN
C-5	LAYOUT PLAN
C-6	DETAILS

NOTES:

1. SITE WILL BE SERVED BY PUBLIC WATER AND SEWER. MEMBERSHIP IN THE HOMEOWNERS ASSOCIATION IS MANDATORY.
2. COORDINATES TIED TO SUFFOLK MONUMENTS #213 AND BEARINGS ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM.
3. CHESAPEAKE BAY BUFFERS ARE REFERENCED TO CITY LETTER DATED 6/02/2018. WETLANDS WERE CONFIRMED BY ACOE JO# NAO-2018-1009.
4. BOUNDARY SURVEY IS BASED ON INSTRUMENTS OF RECORD.
5. THIS PROPERTY IS LOCATED WITHIN THE CHESAPEAKE BAY PRESERVATION OVERLAY DISTRICT AND IS DESIGNATED AS A RESOURCE MANAGEMENT AREA (RMA) AND CONTAINS AREAS WITHIN THE CHESAPEAKE BAY PRESERVATION AREA (RPA).
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EQUIPMENT, MATERIAL AND GENERAL CONSTRUCTION DEBRIS FROM THE SUBDIVISION AND FROM ANY LOT, STREET, PUBLIC RIGHT OF WAY OR PROPERTY THEREIN OR ADJACENT THERE TO. DUMPING OF SUCH DEBRIS INTO SEWERS, ONTO ADJACENT PROPERTY OR ON TO OTHER LAND IN THE CITY IS PROHIBITED.

THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED INSIDE ZONE "X" & "A" AS SHOWN ON THE FEMA FLOOD HAZARD MAP FOR THE CITY OF SUFFOLK, VA.
COMMUNITY PANEL NO. 5101560210D & 5101560230E
EFFECTIVE DATE: AUGUST 3, 2015
(BY SCALED MAP LOCATION & GRAPHIC PLOTTING ONLY).

CITY USE

DIRECTOR OF PLANNING DATE

PARRISH LAYNE DESIGN GROUP
Engineers • Surveyors • Planners
P.O. Box 9164, Chesapeake, VA 23321
Phone: 757.686.3345 Fax: 757.686.3348

REVISIONS

REV.	DATE	DESCRIPTION	BY

PRELIMINARY CLUSTER SUBDIVISION PLAT OF BREWERS MEADOW SOUTH
TAX PARCEL 33*71A
TURLINGTON ROAD
HOLY NECK BOROUGH, SUFFOLK, VIRGINIA

COVER SHEET

DRAWN:	DHW
DESIGN:	BJL
CHECKED:	BJL
DATE:	2/6/19
SCALE:	AS NOTED

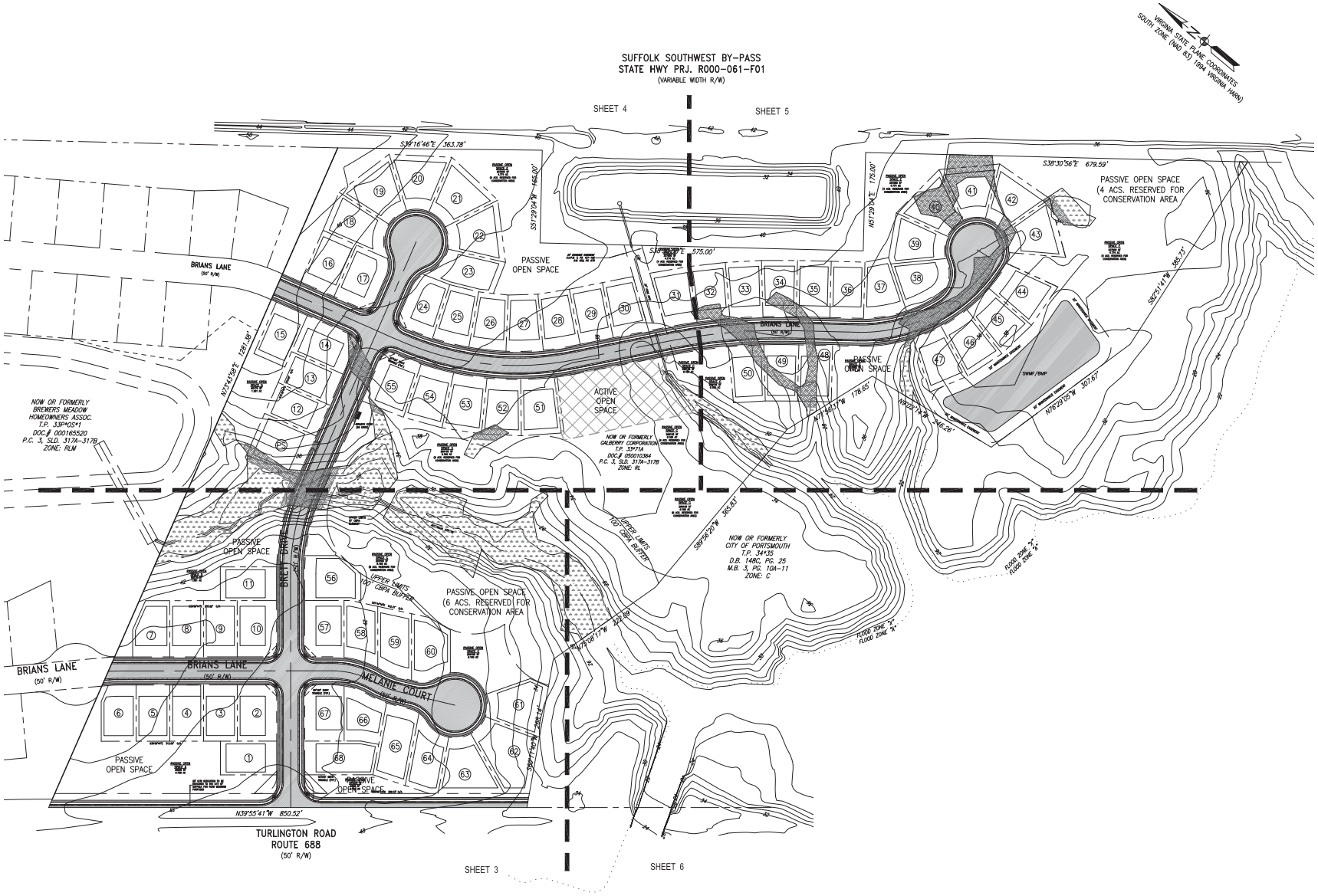
APPROVAL DATE: _____

C-1

SHEET: 1 of 6

4142.0-17

G:\4142.0-17 BREWERS MEADOWS SOUTH\DRAWING\PRELIM SUBDIVISION\PRELIM SUBDIVISION\4142 - PRELIM SUBLDWG



PARRISH LAYNE DESIGN GROUP
Engineers • Surveyors • Planners
P.O. Box 9164, Chesapeake, VA 23321
Phone: 757.686.3345 Fax: 757.686.3348

REVISIONS

REV.	DATE	DESCRIPTION	BY

PRELIMINARY CLUSTER SUBDIVISION PLAT
OF
BREWERS MEADOW SOUTH
TAX PARCEL 33*71A
TURLINGTON ROAD
HOLY NECK BOROUGH, SUFFOLK, VIRGINIA

OVERALL PLAN

DRAWN:	DHW
DESIGN:	BJL
CHECKED:	BJL
DATE:	2/6/19
SCALE:	1" = 80'

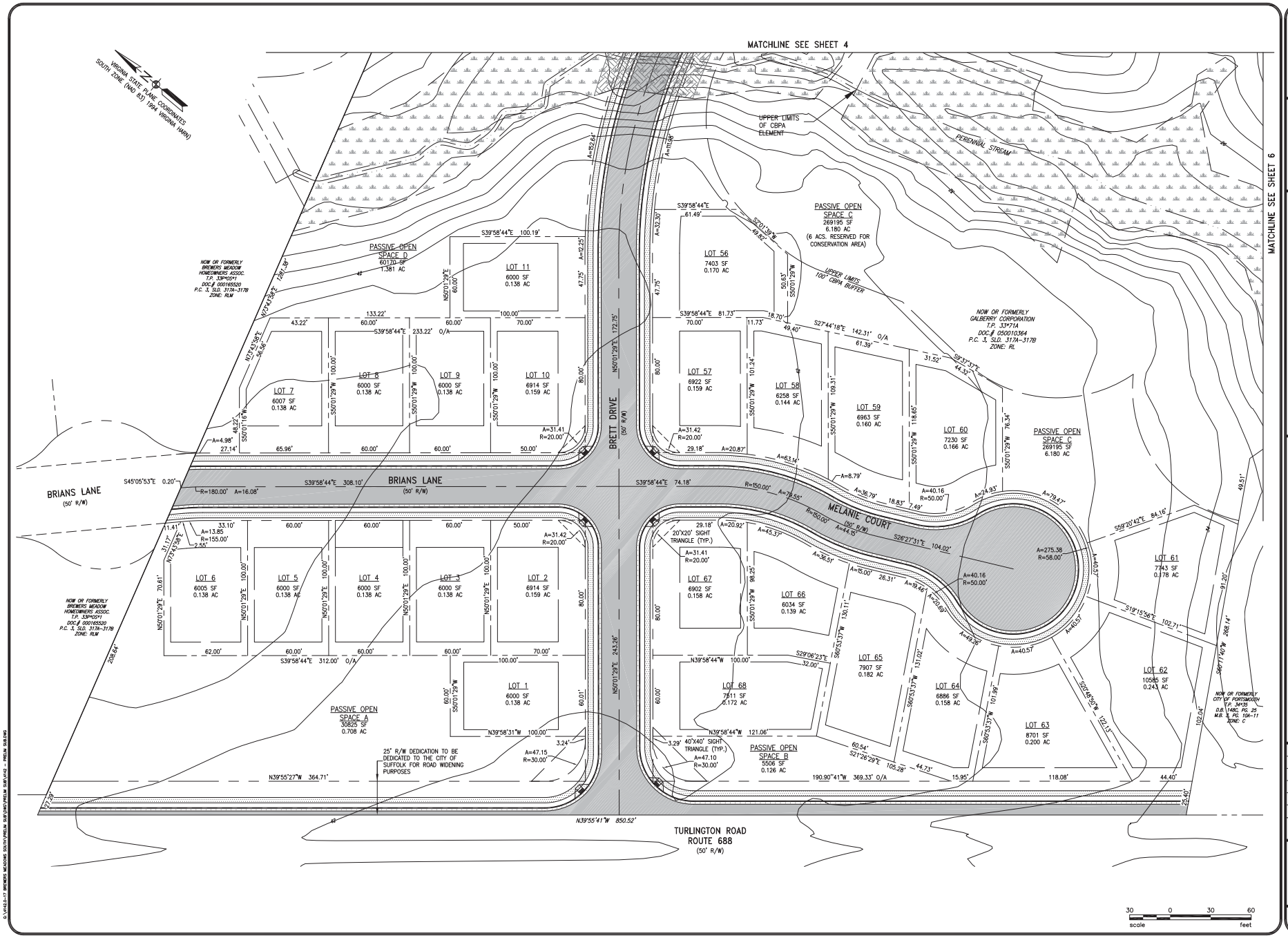
APPROVAL DATE: _____

C-2

SHEET: 2 of 6

4142.0-17

G:\4142.0-17 BREWERS MEADOWS 2017\01\PRELIM SUBDIVISION\PRELIM SUBP\4142 - PRELIM SUBLDWG



PARRISH LAYNE DESIGN GROUP
Engineers • Surveyors • Planners
P.O. Box 9164, Chesapeake, VA 23321
Phone: 757.686.3345 Fax: 757.686.3348

REVISIONS			
REV.	DATE	DESCRIPTION	BY

PRELIMINARY CLUSTER SUBDIVISION PLAT OF BREWERS MEADOW SOUTH
TAX PARCEL 33*71A
TURLINGTON ROAD
HOLY NECK BOROUGH, SUFFOLK, VIRGINIA

PLAN SHEET

DRAWN:	DHW
DESIGN:	BJL
CHECKED:	BJL
DATE:	2/6/19
SCALE:	1" = 30'

APPROVAL DATE: _____

C-3

SHEET: 3 of 6

4142.0-17

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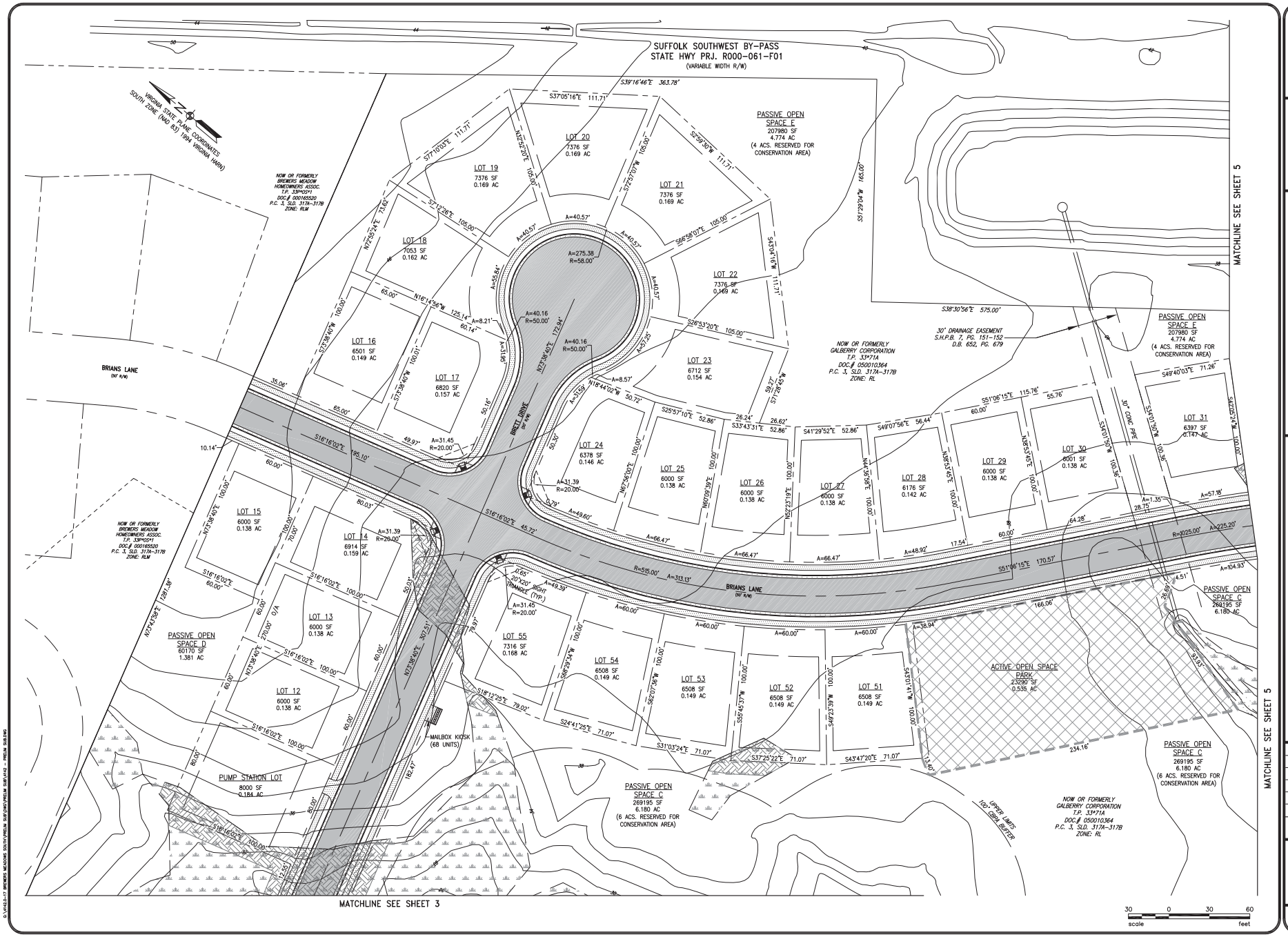

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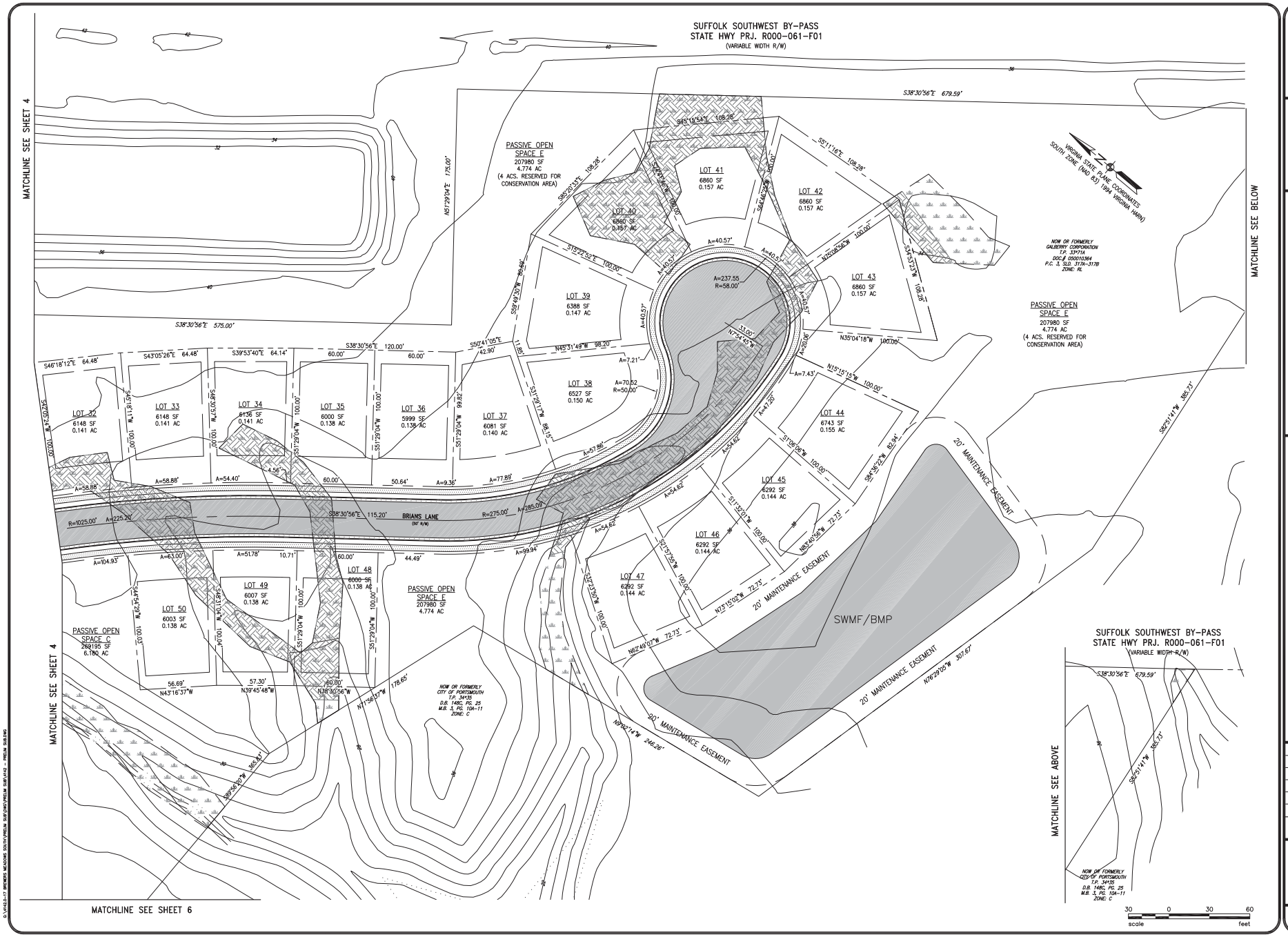
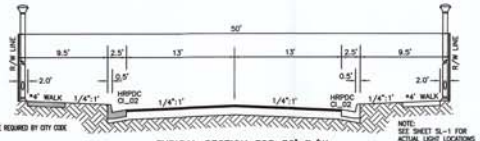
APPROVAL DATE: _____

C-4

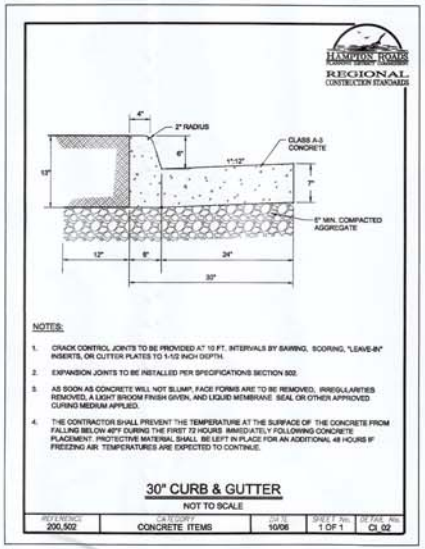
SHEET: 4 of 6

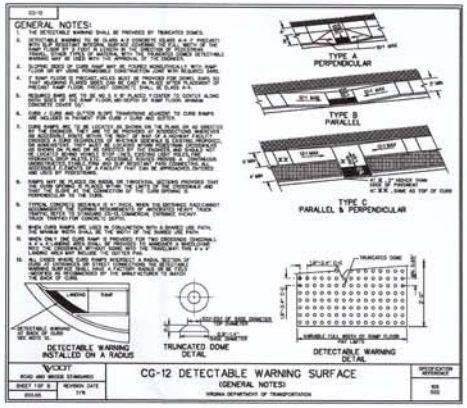
4142.0-17

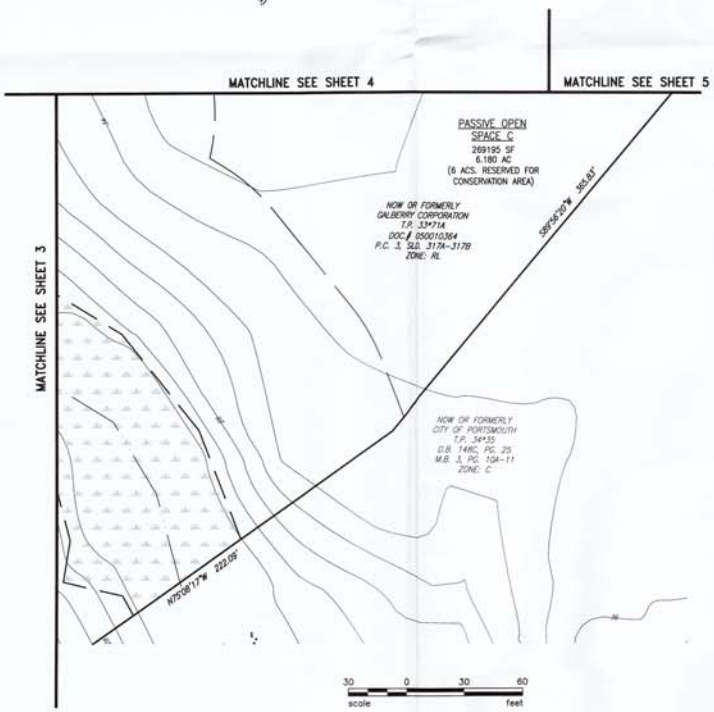

SUFFOLK SOUTHWEST BY-PASS
STATE HWY PRJ. R000-061-F01
(VARIABLE WIDTH R/W)
MATCHLINE SEE SHEET 4
MATCHLINE SEE BELOW
MATCHLINE SEE ABOVE
MATCHLINE SEE SHEET 6
BRIANS LANE
(50' R/W)
PASSIVE OPEN SPACE E
207980 SF
4.774 AC
(4 ACS. RESERVED FOR CONSERVATION AREA)
PASSIVE OPEN SPACE C
268195 SF
6.160 AC
LOT 22 6148 SF 0.141 AC
LOT 33 6148 SF 0.141 AC
LOT 34 6136 SF 0.141 AC
LOT 35 6000 SF 0.138 AC
LOT 36 5999 SF 0.138 AC
LOT 37 6081 SF 0.140 AC
LOT 38 6527 SF 0.150 AC
LOT 39 6388 SF 0.147 AC
LOT 40 6860 SF 0.157 AC
LOT 41 6860 SF 0.157 AC
LOT 42 6860 SF 0.157 AC
LOT 43 6860 SF 0.157 AC
LOT 44 6743 SF 0.155 AC
LOT 45 6292 SF 0.144 AC
LOT 46 6292 SF 0.144 AC
LOT 47 6292 SF 0.144 AC
LOT 48 6000 SF 0.138 AC
LOT 49 6007 SF 0.138 AC
LOT 50 6003 SF 0.138 AC
SWMF/BMP
20' MAINTENANCE EASEMENT
NOW OR FORMERLY GALBERRY CORPORATION T.P. 33-71A DOC.# 050010364 P.C. 3, SLD. 317A-317B ZONE: RL
NOW OR FORMERLY CITY OF PORTSMOUTH T.P. 34-35 D.B. 148C, PG. 25 M.B. 3, PG. 104-11 ZONE: C
VIRGINIA STATE PLANE COORDINATES SOUTH ZONE (NAD 83) 1994 VIRGINIA 1969N)
S38°30'56"E 679.59'
S38°30'56"E 575.00'
S38°30'56"E 120.00'
S38°30'56"E 115.20'
R=1025.00' A=225.29'
R=275.00' A=285.09'
A=237.55 R=58.00'
A=70.52 R=50.00'
A=57.86'
A=99.94'
A=104.93'
A=58.88'
A=54.40'
A=77.89'
A=54.62'
A=40.57'
A=7.21'
A=7.43'
A=20.06'
A=9.36'
A=63.00'
A=51.78'
A=7.20'
N51°29'04"E 175.00'
S38°40'56"E 305.73'
N76°29'05"W 307.67'
N19°52'14"W 246.26'
N71°56'57"W 178.65'
N39°56'00"W 105.42'
N43°16'37"W 56.69'
N39°45'48"W 57.30'
N38°30'56"W 60.00'
N73°15'02"W 72.73'
N62°49'07"W 72.73'
N83°40'38"W 72.73'
S94°51'41"W 305.73'
S94°39'22"W 82.94'
S31°32'01"W 100.00'
S31°06'56"W 100.00'
S31°29'04"W 100.00'
S52°23'56"W 100.00'
S59°49'29"W 86.60'
S50°41'05"E 42.90'
S45°13'54"E 108.28'
S55°11'16"E 108.28'
S66°20'33"E 108.28'
S34°53'21"W 108.28'
N35°04'18"W 100.00'
N15°15'15"W 100.00'
N72°04'56"W 100.00'
N45°31'49"W 98.20'
S46°18'12"E 64.48'
S43°05'26"E 64.48'
S39°53'40"E 64.14'
60.00'
50.64'
44.49'
10.71'
4.56'
11.85'
33.00'
N7°54'45"W
S46°30'57"W 100.00'
S45°18'11"W 100.00'
S46°24'26"W 100.00'
S31°29'04"W 100.00'
S31°29'04"W 99.82'
S31°29'04"W 88.15'
S31°29'04"W 100.00'
S31°29'04"W 100.04'
S31°29'04"W 100.00'
S31°29'04"W 100.00'
S31°29'04"W 100.00

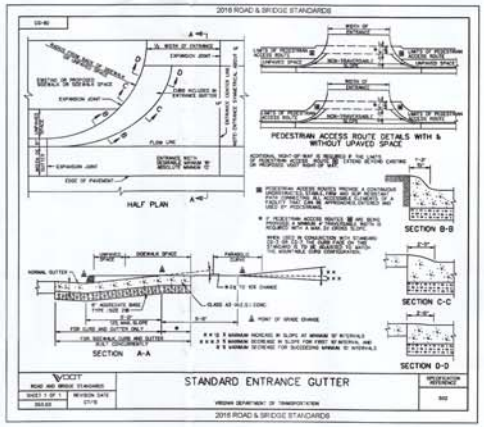


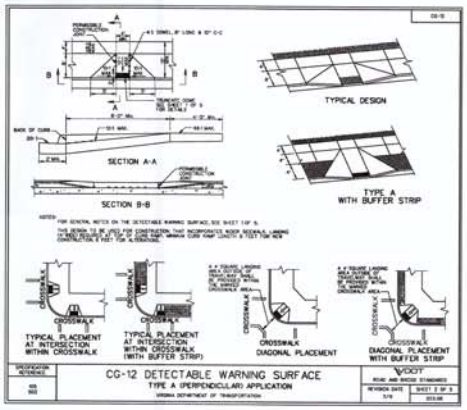
TYPICAL SECTION FOR 50' R/W
NOT TO SCALE











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PRELIMINARY CLUSTER SUBDIVISION PLAT
OF
BREWERS MEADOW SOUTH
TAX PARCEL 33-71A
TURLINGTON ROAD
HOLY NECK BOROUGH, SUFFOLK, VIRGINIA

PRELIMINARY CLUSTER SUBDIVISION

DRAWN:	DHW
DESIGN:	BJL
CHECKED:	BJL
DATE:	2/6/19
SCALE:	AS NOTED

APPROVAL DATE: _____

C-6

SHEET: 6 of 6

4142.0-17

REZONING REQUEST R212-13
INSTRUMENT NUMBER 201404040005310O
ORDINANCE 14-O-012
RECORDATION DATE: APRIL 4, 2014

EXHIBIT B
CENTERPOINT ("OWNER/APPLICANT") HEREBY VOLUNTARILY PROFFERS THAT THE DEVELOPMENT OF THE PROPERTY OWNED BY THE OWNER/APPLICANT PROPOSED FOR RECLASSIFICATION UNDER THIS APPLICATION SHALL BE IN STRICT ACCORDANCE WITH THE CONDITIONS SET FORTH BELOW. OWNER/APPLICANT HEREBY WAIVES ANY RIGHT TO CHALLENGE, IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING, THE LEGALITY OF SUCH CONDITIONS OR TO ASSERT A CLAIM FOR COMPENSATION RESULTING FROM SUCH CONDITIONS (EXCEPT WHERE COMPENSATION IS EXPRESSLY PROVIDED FOR IN THE CONDITIONS) UNDER FEDERAL OR VIRGINIA LAW.

THE FOLLOWING CONDITIONS ARE VOLUNTARILY PROFFERED FOR THE RECLASSIFICATION IDENTIFIED AS TAX MAP NUMBERS 32B*1, 32B*3, 32B*3*1, 32B*3*2, 32B*3*3, 32B*33*4.

1. THE OWNER/APPLICANT AGREES TO DEDICATED TO THE CITY OF SUFFOLK APPROXIMATELY 9.65 GROSS ACRES (7.64 AC WETLANDS) WITH 2.62 USABLE ACRES OF LAND WITH FRONTAGE ON HOLLAND ROAD FOR A CITY FIRE STATION. IF THE CITY HAS NOT ACTED UPON THE CONSTRUCTION, OR INCLUDED THE INTENDED USE IN THE CITY CAPITAL IMPROVEMENT PLAN, WITHIN A PERIOD OF 10 YEARS FROM THE DATED OF THE RECORDATION OF THE REZONING, THE LAND WILL REVERT TO THE OWNER/APPLICANT.

2. THE OWNER/APPLICANT AGREES TO IMPLEMENT A CONTAINER MANAGEMENT PROGRAM DEFINING DESIGN CRITERIA AND SPECIFICATIONS FOR OFF-CHASSIS CONTAINER STORAGE IN M2 ZONING AREAS.

3. THE OWNER/APPLICANT AGREES TO FUND AND PERFORM CERTAIN ROADWAY AND TRAFFIC IMPROVEMENTS FOR HOLLAND ROAD AND KENYON ROAD IN ACCORDANCE WITH THE CENTERPOINT INTERMODAL CENTER TIS, DATED SEPTEMBER 24, 2008. SPECIFIC IMPROVEMENTS INCLUDED ARE THE FOLLOWING:

   a. THE DEDICATION OF RIGHT OF WAY TO ACCOMMODATE THE CITY INDUSTRIAL ACCESS SECTION (80-FOOT RIGHT OF WAY) ALONG KENYON ROAD FRONTAGE.

   b. THE PROVISION OF FUNDING TO THE CITY OF SUFFOLK FOR TRAFFIC SIGNAL INTER-CONNECT SERVICE BETWEEN THE PROPOSED NEW TRAFFIC SIGNAL AT ROAD A AND OTHER SIGNALS IN CORRIDOR NOT TO EXCEED $50,000. INSTALLATION OF THE SERVICES WILL BE DONE BY CITY FORCES.

   c. THE PROVISION OF FUNDING TO THE CITY OF SUFFOLK FOR SIGNAL TIMING AND OPTIMIZATION DESIGN FOR THE PROPOSED NEW TRAFFIC SIGNAL AND OTHERS IN RT. 58 CORRIDOR BEGINNING AT THE WESTERN PROPERTY LIMIT, 3 MILES EAST TO THE INTERSECTION OF RT. 13 AND THE RT. 58 BYPASS, NOT TO EXCEED $25,000.

   d. THE DEDICATION OF RIGHT OF WAY TO ACCOMMODATE THE FUTURE 6-LANE SECTION WITH NOMINAL WIDTH OF ONE HUNDRED AND TWENTY FIVE FEET, PLUS ADDITIONAL RIGHT OF WAY REQUIRED FOR TURN LANES ON THE HOLLAND ROAD FRONTAGE.

   e. THE MODIFICATION OF THE EXISTING TRAFFIC SIGNAL AT MANNING BRIDGE ROAD TO INCLUDE THE SOUTHBOUND APPROACH FOR ROAD B.

   f. IN ACCORDANCE WITH SECTION 31-612(b)(4) OF THE UNIFIED DEVELOPMENT ORDINANCE AND IN LIEU OF THE PROVISIONS OF FUNDING FOR THE CONSTRUCTION OF THE RECOMMENDED FRONTAGE IMPROVEMENTS ALONG HOLLAND ROAD TO INCLUDE THE WESTBOUND 3 LANES OF HOLLAND ROAD, RECOMMENDED TURN LANES, AND SIGNALIZATION IMPROVEMENTS, THE OWNER/APPLICANT SHALL PROVIDE FOR THE CONSTRUCTION OF ALL IMPROVEMENTS SHOWN BETWEEN APPROXIMATELY STA 39+ 13.05 AND STA 75+00 ON PLANS ENTITLED CENTERPOINT DRIVE EAST SECTION 2 AND 3 ENGINEERING PLAN FOR CENTERPOINT PROPERTIES CENTERPOINT INTERMODAL CENTER WITH PLANNING NUMBER EP-2013-00003. IN ORDER TO GUARANTEE AN EQUITABLE EXCHANGE OF CONSTRUCTION RESPONSIBILITIES OWNER/APPLICANT AGREE TO ENTER A DEVELOPMENT AGREEMENT BETWEEN THE OWNER/APPLICANT AND THE CITY OF SUFFOLK. THE AGREEMENT SHALL ASSIGN A VALUE TO THE ABOVE REFERENCED IMPROVEMENTS AS WELL AS THE FRONTAGE IMPROVEMENTS AND SHALL CLEARLY MEMORIALIZE THE FINANCIAL AND IMPLEMENTATION RESPONSIBILITIES OF EACH PARTY FOR THE DESIGN AND CONSTRUCTION OF THE IMPROVEMENTS. THE DEVELOPMENT AGREEMENT MUST BE FULLY EXECUTED BY BOTH PARTIES PRIOR TO ISSUANCE OF A LAND DISTURBING PERMIT FOR THE REFERENCED IMPROVEMENTS ON CENTERPOINT DRIVE EAST.

   g. THE PROVISION OF FUNDING FOR THE CONSTRUCTION OF THE RECOMMENDED FRONTAGE IMPROVEMENTS ALONG KENYON ROAD TO INCLUDE ROAD WIDENING AND TURN LANES.

4. THE OWNER/APPLICANT AGREES TO THE RESERVATION OF A FUTURE CROSS-ACCESS LOCATION FOR ADJACENT PARCEL 32*38B.

5. THE OWNER/APPLICANT AGREES TO CONSTRUCT MODIFICATIONS TO EXISTING CITY SEWER PUMP STATION #62 TO MEET THE STANDARDS OF THE CITY OF SUFFOLK CONSTRUCTION STANDARDS FOR PUBLIC WATER AND SANITARY SEWERAGE FACILITIES DATED MARCH, 1995

6. THE ONWER/APPLICANT AGREES TO CONSTRUCT A 24" SEWER FORCE MAIN FROM RALEIGH DRIVE TO MANNING BRIDGE ROAD.

7. THE OWNER/APPLICANT AGREES TO CONSTRUCT A 24" SEWER FORCE MAIN FROM KENYON ROAD TO RALEIGH DRIVE.

8. THE OWNER/APPLICANT AGREES TO CONSTRUCT GRAVITY SANITARY SEWER LINES AND LATERALS AND WATER MAINS COINCIDENT WITH THE INSTALLATION OF THE 24" SEWER FORCE MAIN IDENTIFIED IN PROFFER #7 AS INDICATED IN THE CITY'S ENGINEERING PLANS FOR "FOREST HILLS/MAPLE GLENN PHASE 2" FOR THE IMPROVEMENTS BETWEEN KENYON ROAD AND RALEIGH DRIVE ALONG HOLLAND ROAD.

9. THE OWNER/APPLICANT AGREES TO CONSTRUCT A 20" WATER MAIN FROM MANNING BRIDGE ROAD TO THE WESTERN BOUNDARY OF PEPSI BOTTLING SITE.

10. THE OWNER/APPLICANT AGREES TO CONSTRUCT A 20" WATER MAIN FROM THE WEST PROPERTY LINE OF THE PEPSI BOTTLING SITE TO ROAD A AND TO PROVIDE JACK-AND-BORE INSTALLATIONS FOR CROSSINGS UNDER HOLLAND ROAD.

11. THE OWNER/APPLICANT AGREES TO PROVIDE A PRO-RATA FINANCIAL CONTRIBUTION TOWARD THE OFF-SITE PUBLIC WATER TOWER CONSTRUCTION NOT TO EXCEED $1,000,000.

12. THE OWNER/APPLICANT AGREES TO PROVIDE A PRO-RATA FINANCIAL CONTRIBUTION TOWARD THE OFF-SITE TRANSPORTATION IMPROVEMENTS ON HOLLAND ROAD AS STIPULATED IN SUBPARAGRAPHS a, b, AND c BELOW, NOT TO EXCEED $3,460,000 FOR THIS TRANSPORTATION PROFFER:

   a. THE ABOVE TRANSPORTATION PROFFER SHALL FUND THE COST OF THE OWNER/APPLICANT PREPARATION OF A DESIGN AND COST STUDY FOR THE PROPOSED HOLLAND ROAD WIDENING TO SIX LANES, THAT INCLUDES AUTHORIZATION FROM VDOT AND FHWA,. THE REMAINING BALANCE OF THE $3,460,000 SHALL BE PAYABLE TO THE CITY. THE LIMITS OF THE CORRIDOR WILL BE THE WESTERN CENTERPOINT PROPERTY LINE, 3 MILES TO THE EAST TO THE WESTERN END OF THE ROUTE 58 BYPASS.

   b. THE OWNER/APPLICANT WILL WORK WITH THE CITY TO SECURE FUNDING FOR THE HOLLAND ROAD WIDENING TO SIX LANES. IN THE EVENT THAT 100% FUNDING IS OBTAINED FOR THE IMPROVEMENTS, THAN THE BALANCE OF THE TRANSPORTATION PROFFER (AFTER FUNDING THE 12(a) STUDY) WILL NOT BE DUE TO THE CITY.

   c. IN THE EVENT THAT THE 100% FUNDING FOR HOLLAND ROAD WIDENING TO SIX LANES IS NOT AVAILABLE WITHIN A REASONABLE TIME FRAME, AND THE PROJECT DEVELOPMENT EXCEEDS THE ALLOWABLE TRIP GENERATION UNDER THE EXISTING ZONING, THAN THE BALANCE OF THE ABOVE TRANSPORTATION PROFFER (AFTER FUNDING THE 12(a) STUDY) SHALL BE PAYABLE TO THE CITY.

13. THE OWNER/APPLICANT WILL DEDICATE OR DEED THE LAND LOCATED WITHIN THE CIVIL WAR TRENCH AREA AS A THIRD PARTY CONSERVATIONIST.

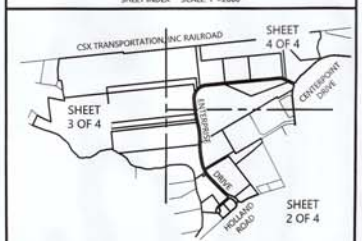
CBPA Buffer Encroachment

EXCEPTION REQUEST (EX-2009-04) TO THE REQUIREMENTS OF THE CHESAPEAKE BAY PRESERVATION AREA OVERLAY DISTRICT (CBPA) IN ORDER TO CONSTRUCT A PRIVATE DRIVEWAY WITHIN THE 100-FOOT RESOURCE PROTECTION AREA BUFFER WAS APPROVED ON SEPTEMBER 16, 2009 AS RESOLUTION NUMBER 09-09-2.

General Notes

1. THE PROPERTY LINES SHOWN ON THIS PLAT ARE BASED UPON DEEDS AND PLANS OF RECORD.
2. THE EXISTING CONDITIONS SHOWN ON THIS PLAT ARE BASED UPON AN AERIAL SURVEY PERFORMED BY AERO-METRIC ON FEBRUARY 28, 2008. AERIAL INFORMATION SHOWN HAS BEEN EDITED AND SUPPLEMENTED BY ON-THE-GROUND INSTRUMENT SURVEY PERFORMED BY VHB IN FEBRUARY, MARCH AND SEPTEMBER 2008.
3. MONUMENTATION OF THE PROPERTY CORNERS, OTHER THAN NOTED, WAS NOT PERFORMED AS A PART OF THIS SURVEY DUE TO MINIMIZING THE DISTURBANCE OF EXISTING WETLAND AND/OR OTHER SENSITIVE ENVIRONMENTAL FEATURES. SEE LEGEND AND PLAT FOR TABULATION OF MONUMENTS.
4. REFERENCE MERIDIAN: THE MERIDIAN SOURCE OF THIS PLAT IS BASED ON THE CITY OF SUFFOLK 1997 GEODETIC GROUND CONTROL NETWORK, VIRGINIA COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1994 HARN), CONTROL STATIONS 142, 146, 147, 213, 216, 217, 218, 305 AND 323 WERE UTILIZED.
5. THE PROPERTY ENCOMPASSED BY THIS SUBDIVISION PLAT FALLS IN TAX PARCEL 32B*3.
6. THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE X (AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND FLOOD ZONE A (NO BASE FLOOD ELEVATIONS DETERMINED) AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NUMBER(S) 510156-0205D AND 5101560200, MAP(S) REVISED NOVEMBER 16, 2011. THE APPROXIMATE LOCATION OF THE FLOOD ZONE LIMITS AS LISTED HEREON HAVE BEEN DETERMINED BY SCALING THE LOCATION DEPICTED ON THE AFOREMENTIONED FEMA-NFIP MAP. DUE TO IMPERFECTIONS IN BOTH THE FEMA MAPPING AND LOCATION METHODOLOGY, THESE LIMITS MAY CONTAIN SIGNIFICANT INACCURACIES.
7. LIMITS OF WETLANDS AND BUFFERS AS PROVIDED BY KIMLEY HORN AND ASSOCIATES, INC. AS SHOWN ON FIGURE 5 COMPREHENSIVE FIGURE. VHB MAKES NO WARRANTY TO THE ACCURACY OR CORRECTNESS IN SHAPE OR ACTUAL FIELD LOCATION OF INFORMATION PROVIDED.
8. THE WETLANDS DELINEATED ON THE SITE PLANS WERE CONFIRMED VIA MANY JURISDICTIONAL DETERMINATIONS FROM THE USACE ON 07/25/06 UNDER APPLICATION NO. 01-R0348, ON 03/23/08 UNDER APPLICATION NO. NAO-2006-7652, ON 04/01/08 UNDER APPLICATION NO. NAO-2007-04574, ON 06/14/13 UNDER APPLICATION NO. NAO-08-3101, AND ON 05/08/18 UNDER APPLICATION NO NAO-08-3101
   DEQ PERMIT NUMBER: IP 09-0753 USACE PERMIT NUMBER: NAO-2008-03101
9. USGS QUADRANGLE MAP "BUCKHORN" WAS USED TO DELINEATE THE STREAMS SHOWN ON THAT MAP TO THIS MAP. DUE TO IMPERFECTIONS IN BOTH THE FEMA MAPPING AND LOCATION METHODOLOGY, THESE LIMITS MAY CONTAIN SIGNIFICANT INACCURACIES.
10. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
11. THE INVESTIGATION, DELINEATION AND LOCATION OF WETLANDS, HAZARDOUS WASTE, AND/OR OTHER ENVIRONMENTAL ISSUES WAS NOT PERFORMED BY VHB. SEE ENGINEERING PLANS SUBMITTED BY KIMLEY-HORN.
12. PROPERTY OWNER WILL BE RESPONSIBLE FOR THE DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR THE 6-LANING OF HOLLAND ROAD (ROUTE 58) AND OTHER ROADWAY IMPROVEMENTS AS MAY BE NECESSARY ALONG HOLLAND ROAD.
13. PROPOSED POND LOCATIONS AS SHOWN WILL REQUIRE MAINTENANCE, DRAINAGE AND ACCESS EASEMENTS AS REQUIRED BY THE CITY OF SUFFOLK. THESE EASEMENTS WILL BE CREATED AND SHOWN ON THE FINAL SUBDIVISION PLAT. BMP LOTS ARE TO BE USED ONLY FOR PURPOSES OF STORMWATER MANAGEMENT AND DO NOT CONSTITUTE BUILDABLE LOTS.
14. ANY FUTURE EASEMENTS REQUIRED FOR PUBLIC UTILITIES WILL BE ADDRESSED ON THE FINAL SUBDIVISION PLAT.
15. ALL LOTS ARE TO BE SERVED BY PUBLIC WATER AND SEWER.
16. ALL RIGHT-OF-WAY SHOWN HEREON ARE HEREBY DEDICATED TO CITY OF SUFFOLK FOR STREET PURPOSES.
17. THE PROPERTY SHOWN HEREON LIES WITHIN THE RESOURCE MANAGEMENT AREA (RMA) AND RESOURCE PROTECTION AREA (RPA) OF THE CHESAPEAKE BAY PRESERVATION AREA.
18. BMP LOTS ARE NOT BUILDABLE LOTS

SHEET INDEX SCALE: 1"=2000'



Ownership:

MONROE DEVELOPMENT OWNER, LLC
c/o EQUUS CAPITAL PARTNERS, LTD
ELLIS PRESERVE
3843 WEST CHESTER PIKE
NEWTOWN SQUARE, PENNSYLVANIA 19073

PHONE: 215-5575-2436
CONTACT: JOHN KNOTT

Legend

- □ CONC MONUMENT FOUND
- ■ CONC MONUMENT SET
- ○ IRON ROD FOUND
- ● IRON ROD SET

D.B. DEED BOOK
INST. INSTRUMENT
N/F NOW OR FORMERLY
P.B. PLAT BOOK
S.F. SQUARE FEET
TMP TAX MAP PARCEL

THE PROPOSED LOTS ARE CONDITIONALLY ZONED M-1 (LIGHT INDUSTRIAL DISTRICT) AND M-2 (HEAVY INDUSTRIAL DISTRICT)

CURRENT CITY OF SUFFOLK ZONING REQUIREMENTS ARE:

Zoning Summary Chart

Zoning District(s):	M-1, M-2 and SCOD [2]	
Zoning Regulation Requirements	M-1	M-2
MIN. LOT AREA	- AC	- AC
FRONTAGE	80 FT	100 FT
FRONT YARD SETBACK	30 FT	30 FT
SIDE YARD SETBACK	30 FT [1]	50 FT [1]
REAR YARD SETBACK	30 FT [1]	50 FT [1]
MIN. LOT WIDTH	80 FT	100 FT
MAX. FLOOR AREA RATIO	0.6	0.6
MAX. BUILDING HEIGHT	65 FT	65 FT

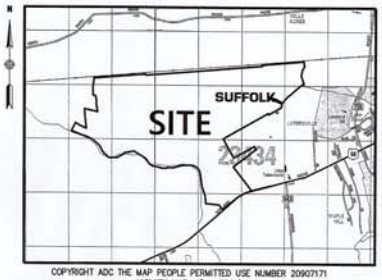
(1) APPLIES ONLY TO THE SETBACK AREA MEASURED FROM A LOT LINE WHICH ABUTS A RESIDENTIAL USE OR RESIDENTIAL ZONING DISTRICT. THE SITE OR REAR YARD MAY BE REDUCED BY 50% OF THE ABOVE-REFERNCED REQUIREMENTS WHERE THE USE DOES NOT ABUT A RESIDENTIAL USE OR RESIDENTIAL ZONING DISTRICT.

(2) PURSUANT TO SECTION 31-412(c)(1)A OF THE UDO, THE SCOD (SPECIAL CORRIDOR OVERLAY DISTRICT) SETBACKS ARE: 30-FOOT FRONT, 10-FOOT SIDE, AND 20-FOOT REAR.

Proposed Parcel Chart

Tax Map	Lot Designation	Lot Square Footage	Lot Acreage	Buildable Area (Acres)	Critical Area (Acres)	Zoning
__*__*__	LOT 4	2,549,203	58.5216	46.28	12.24	M-2
__*__*__	LOT 6	2,954,660	67.8297	65.70	2.13	M-2
__*__*__	LOT 7	2,206,567	50.6558	45.21	5.45	M-1, M-2
__*__*__	LOT 8	601,593	13.8107	7.67	6.14	M-1
__*__*__	LOT 9	711,813	16.3410	11.52	4.82	M-2
__*__*__	LOT 10	856,364	19.6594	19.66	0.00	M-1
__*__*__	LOT 11	1,091,244	25.0515	25.05	0.00	M-1
__*__*__	LOT 17	5,557,119	127.5739	106.50	21.07	M-2
__*__*__	LOT 18	358,901	8.2392	8.24	0.00	M-1
__*__*__	LOT 19	9,010	0.2068	0.21	0.00	M-1
__*__*__	LOT 24	593,631	13.6279	8.13	5.50	M-2
__*__*__	LOT 25	4,103,876	94.2120	59.74	34.47	M-2
__*__*__	BMP LOT 26	230,453	5.2905	5.29	0.00	M-1
__*__*__	BMP LOT 32	3,089,945	70.9354	37.75	33.19	M-1, M-2
__*__*__	BMP LOT 33	257,628	5.9143	2.63	3.28	M-1
__*__*__	BMP LOT 34	641,619	14.7295	14.73	0.00	M-2
__*__*__	BMP LOT 35	785,247	18.0268	8.89	9.14	M-2
__*__*__	BMP LOT 37	553,649	12.7100	12.64	0.07	M-2
__*__*__	BMP LOT 38	1,660,398	38.1175	16.60	21.52	M-1, M-2
__*__*__	LOT 39	108,793	2.4975	2.50	0.00	M-1
__*__*__	LOT 40	119,596	2.7455	2.75	0.00	M-1
R/W DEDICATION		428,512	9.8373			
	TOTAL	29,469,821	676.5340			

BUILDABLE AREAS ARE DEFINED AS LOT AREAS LESS ANY WETLAND AREAS AND AREAS WITHIN THE RPA



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VICINITY MAP: 1" = 2500'

Surveyor's Certification

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNER AND THAT THIS SUBDIVISION IS ENTIRELY WITHIN THE BOUNDARIES OF LAND OWNED BY HIM/HER AND THAT STEEL PINS, AS SHOWN ON THIS PLAT BY SMALL CIRCLES, HAVE ACTUALLY BEEN PLACED AND THEIR LOCATIONS CORRECTLY SHOWN AND THAT THE PLAT DETAILS MEET THE STANDARDS FOR PLATS AS ADOPTED UNDER VC 42.1-82 OF THE VIRGINIA PUBLIC RECORDS ACT (VC 42.1-76, ET SEQ.).

DAVID W. ANDREA, L.S. #2215 — DATE: APRIL 24, 2020

Statistics Table

TOTAL AREA OF LOTS	666.6967 ACRES
TOTAL AREA OF ROADS	9.8373 ACRES
TOTAL CRITICAL AREAS	159.96 ACRES
TOTAL SITE AREA	676.5340 ACRES

Source of Title

PROPERTIES SHOWNHEREON ARE CURRENTLY OWNED BY MONROE DEVELOPMENT OWNER, LLC, WHO ACQUIRED TAX MAP 32B*3 FROM CENTERPOINT PROPERTIES TRUST ON JUNE 24, 2019 RECORDED AT INSTRUMENT NUMBER 190007245 IN THE CLERK OF THE CIRCUIT COURT OF THE CITY OF SUFFOLK, VIRGINIA

Certification Statement

THE UNDERSIGNED CERTIFY THAT THIS SUBDIVISION, AS IT APPEARS ON THIS PLAT CONFORMS TO THE APPLICABLE REGULATIONS RELATING TO THE SUBDIVISION OF LAND AND IS ACCORDINGLY APPROVED. BY SUCH APPROVAL, THE UNDERSIGNED DO NOT CERTIFY AS TO THE CORRECTNESS OF THE STREETS, BOUNDARIES OR OTHER LINES SHOWN ON THIS PLAT.

APPROVED: AGENT, CITY OF SUFFOLK, VIRGINIA — DATE 4/30/20

RESERVED FOR THE CITY OF SUFFOLK

PSB2020-0002
APPROVED
April 30, 2020

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Port Logistics Center

Suffolk, Virginia

No.	Revision	Date	Approd.
1	City Comments Dated 4/14/20	4/17/20	DWA

Designed by DWP — Checked by DWA
Issued for — Date March 27, 2020

Preliminary Plat Approval

Drawing Title
Preliminary Subdivision of
Tax Map Parcel 32B * 3
Account #154000551
Port Logistics Center

COMMONWEALTH OF VIRGINIA — 4-24-20 — DAVID W. ANDREA Lic. No. 2215 — LAND SURVEYOR

Drawing Number: Sd-1
Sheet 1 of 4
Project Number

ed Tuesday, April 21, 2020 2:29:53 PM DPLANTE Plotted Friday, April 24, 2020 12:30:12 PM Plante, Donald

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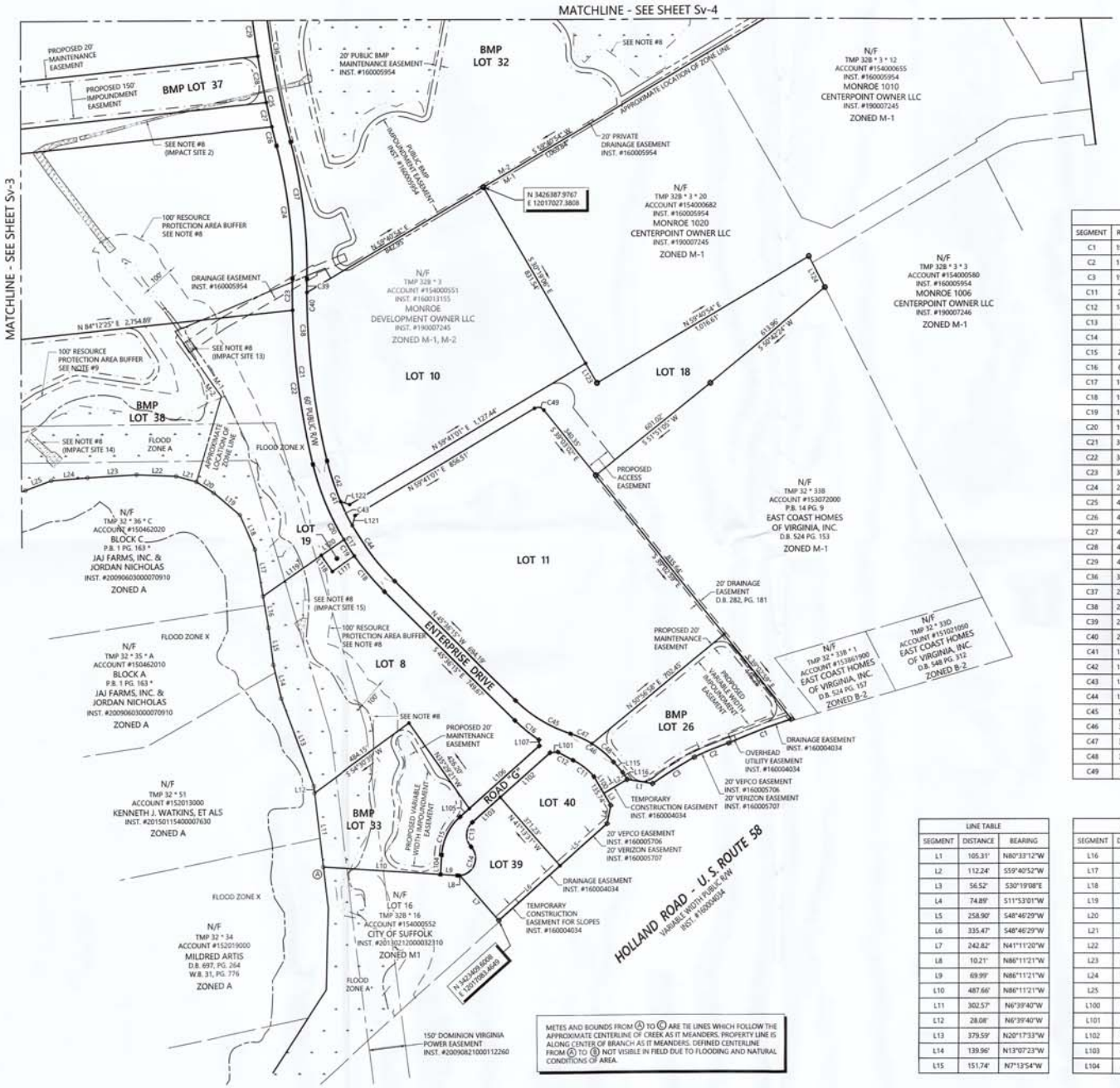

CURVE TABLE						
SEGMENT	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C1	1981.36'	279.35'	008°04'41"	139.90'	279.11'	S69°55'07"W
C2	1158.34'	153.52'	007°35'36"	76.87'	153.40'	S68°09'28"W
C3	1993.36'	203.22'	005°50'28"	101.70'	203.13'	S58°32'56"W
C11	267.00'	110.04'	023°36'46"	55.81'	109.26'	S52°03'20"E
C12	1018.00'	70.90'	003°59'25"	35.46'	70.88'	S61°52'00"E
C13	70.00'	110.93'	090°47'49"	70.98'	99.68'	N03°25'17"E
C14	70.00'	165.90'	135°47'16"	172.34'	129.71'	N25°55'01"E
C15	225.00'	176.79'	045°01'10"	93.24'	172.28'	S26°18'37"W
C16	633.00'	126.00'	011°24'16"	63.21'	125.79'	S51°18'23"E
C17	1080.00'	606.03'	032°09'02"	311.22'	598.11'	N29°31'44"W
C18	1080.00'	191.72'	010°10'15"	96.11'	191.47'	S40°31'07"E
C19	1080.00'	80.03'	004°14'44"	40.03'	80.01'	S33°18'38"E
C20	1080.00'	334.28'	017°44'03"	168.49'	332.95'	S22°19'14"E
C21	3010.00'	760.80'	014°28'55"	382.44'	758.78'	N06°12'45"W
C22	3010.00'	632.53'	012°02'25"	317.44'	631.37'	S07°26'00"E
C23	3010.00'	128.27'	002°26'30"	64.14'	128.26'	S00°11'33"E
C24	2000.00'	545.46'	015°37'34"	274.43'	543.77'	S06°47'05"E
C25	4030.00'	647.17'	009°12'04"	324.28'	646.48'	N09°59'50"W
C26	4030.00'	79.49'	001°07'48"	39.74'	79.49'	S14°01'58"E
C27	4030.00'	100.74'	001°25'56"	50.37'	100.74'	S12°45'06"E
C28	4030.00'	190.71'	002°42'41"	95.37'	190.69'	S10°40'47"E
C29	4030.00'	276.23'	003°55'38"	138.17'	276.18'	S07°21'37"E
C36	3970.00'	637.54'	009°12'04"	319.46'	636.85'	N09°59'50"W
C37	2060.00'	561.82'	015°37'34"	282.67'	560.08'	N06°47'05"W
C38	2950.00'	745.64'	014°28'55"	374.82'	743.65'	S06°12'45"E
C39	2950.00'	55.96'	001°05'12"	27.98'	55.95'	N00°29'06"E
C40	2950.00'	689.68'	013°23'43"	346.42'	688.11'	N06°45'21"W
C41	1020.00'	572.36'	032°09'02"	293.93'	564.88'	S29°31'44"E
C42	1020.00'	174.95'	009°49'37"	87.69'	174.73'	N18°22'01"W
C43	1020.00'	110.13'	006°11'10"	55.12'	110.07'	N26°22'25"W
C44	1020.00'	287.29'	016°08'15"	144.60'	286.34'	N37°32'07"W
C45	570.00'	266.61'	026°47'57"	135.79'	264.18'	S59°00'14"E
C46	395.00'	213.63'	030°59'14"	109.50'	211.03'	S56°54'35"E
C47	395.00'	96.79'	014°02'20"	48.64'	96.54'	N65°23'02"W
C48	395.00'	116.84'	016°56'54"	58.85'	116.42'	N49°53'25"W
C49	30.00'	42.55'	081°15'58"	25.74'	39.07'	S79°41'00"E

LINE TABLE		
SEGMENT	DISTANCE	BEARING
L1	105.31'	N80°33'12"W
L2	112.24'	S59°40'52"W
L3	56.52'	S30°19'08"E
L4	74.89'	S11°53'01"W
L5	258.90'	S48°46'29"W
L6	335.47'	S48°46'29"W
L7	242.82'	N41°11'20"W
L8	10.21'	N86°11'21"W
L9	69.99'	N86°11'21"W
L10	487.66'	N86°11'21"W
L11	302.57'	N6°39'40"W
L12	28.08'	N6°39'40"W
L13	379.59'	N20°17'33"W
L14	139.96'	N13°07'23"W
L15	151.74'	N7°13'54"W

LINE TABLE		
SEGMENT	DISTANCE	BEARING
L16	130.16'	N9°45'00"W
L17	192.76'	N9°45'00"W
L18	153.87'	N23°13'46"W
L19	140.62'	N49°47'52"W
L20	83.32'	N56°57'33"W
L21	86.48'	N74°25'39"W
L22	163.10'	N87°30'42"W
L23	202.20'	S86°58'19"W
L24	149.16'	S85°54'59"W
L25	113.18'	S69°52'22"W
L100	79.22'	S30°19'08"E
L101	32.21'	N85°11'01"E
L102	273.04'	N48°49'12"E
L103	152.96'	N48°49'12"E
L104	79.19'	S3°48'02"W

LINE TABLE		
SEGMENT	DISTANCE	BEARING
L105	50.94'	S48°49'12"W
L106	384.30'	S48°49'12"W
L107	24.01'	S4°17'25"E
L115	56.36'	N41°24'58"W
L116	33.96'	N33°18'16"W
L117	112.50'	S55°47'45"W
L118	80.00'	N34°12'15"W
L119	290.99'	N55°47'45"E
L120	113.75'	N55°47'45"E
L121	43.05'	N15°31'47"E
L122	40.07'	S72°13'11"E
L123	92.15'	S30°19'06"E
L124	142.24'	S27°10'17"E

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VIRGINIA STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD 83 (1994 HARN)

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SCALE IN FEET

Port Logistics Center

Suffolk, Virginia

No.	Revision	Date	Approd.
1	City Comments Dated 4/14/20	4/17/20	DWA

Designed by DWP Checked by DWA
Issued for Preliminary Plat Approval Date March 27, 2020

Drawing Title
Preliminary Subdivision of Tax Map Parcel 32B * 3 Account #154000551 Port Logistics Center

COMMONWEALTH OF VIRGINIA
4-24-20
DAVID W. ANDREA
Lic. No. 2215
LAND SURVEYOR

Drawing Number
Sd-2

Sheet 2 of 4

Project Number
34297.09

Saved Tuesday, April 21, 2020 2:29:53 PM DPLANTE Plotted Friday, April 24, 2020 12:30:46 PM Plants, Donald

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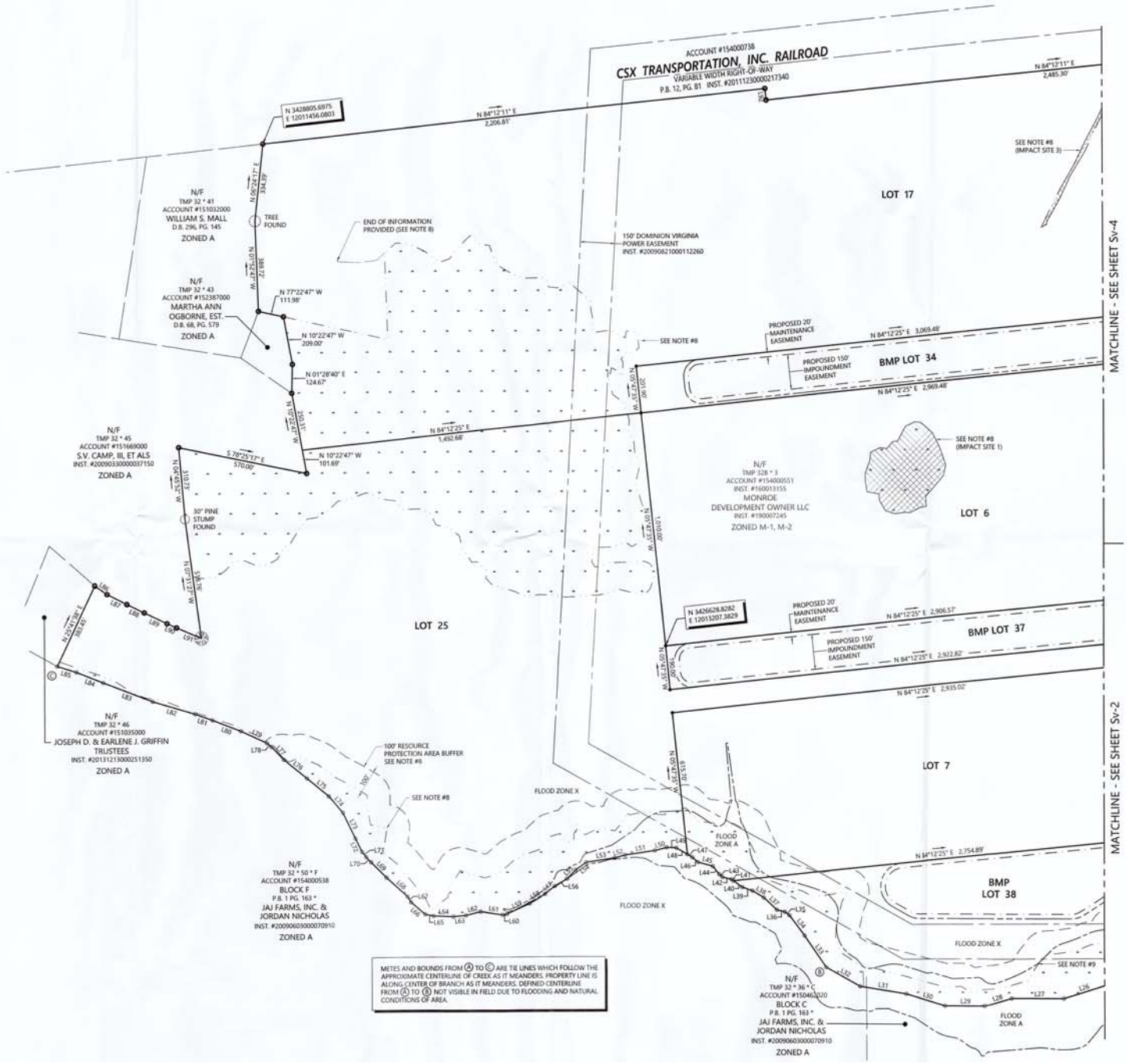
LINE TABLE		
SEGMENT	DISTANCE	BEARING
L26	203.92'	S72°49'55"W
L27	227.73'	N89°54'34"W
L28	121.15'	S73°37'49"W
L29	172.65'	N89°56'31"W
L30	181.49'	N73°30'51"W
L31	204.03'	N81°04'23"W
L32	170.03'	N61°22'34"W
L33	166.43'	N34°29'32"W
L34	109.32'	N36°47'28"W
L35	25.92'	N52°21'36"W
L36	35.68'	N75°59'50"W
L37	77.48'	N46°51'24"W
L38	58.23'	N59°26'59"W
L39	46.95'	N70°52'00"W
L40	47.31'	N53°55'37"W
L41	11.11'	N53°55'37"W
L42	41.08'	N75°58'16"W
L43	17.58'	N49°11'02"W
L44	44.38'	N38°26'13"W
L45	67.32'	N74°31'37"W
L46	31.90'	N49°36'54"W
L47	25.73'	N59°08'24"W
L48	55.72'	N59°08'24"W
L49	42.38'	N87°36'22"W
L50	53.66'	S76°11'58"W
L51	131.55'	S81°22'27"W
L52	48.10'	S74°13'17"W
L53	124.97'	S81°25'35"W
L54	57.10'	S54°13'40"W
L55	54.02'	S44°39'18"W
L56	62.15'	S59°39'05"W
L57	56.17'	S52°43'12"W
L58	82.48'	S60°04'18"W
L59	109.45'	S65°52'39"W
L60	19.00'	S79°21'09"W
L61	97.07'	N81°56'24"W
L62	67.22'	S76°09'07"W
L63	55.14'	S85°11'39"W
L64	86.09'	N87°32'12"W
L65	37.37'	N77°55'13"W
L66	80.41'	N49°25'05"W
L67	29.13'	N30°43'15"W
L68	124.14'	N47°40'49"W
L69	95.85'	N44°44'32"W
L70	30.26'	N43°43'41"W
L71	30.16'	N38°20'54"W
L72	63.90'	N25°52'34"W
L73	124.35'	N25°56'25"W
L74	94.35'	N40°26'52"W
L75	122.55'	N50°35'57"W
L76	129.63'	N51°03'43"W
L77	76.68'	N43°07'27"W
L78	26.93'	N51°16'14"W
L79	125.50'	N65°21'02"W
L80	131.69'	N68°54'47"W
L81	80.67'	N70°16'47"W
L82	193.29'	N73°23'29"W
L83	231.93'	N68°56'55"W
L84	126.25'	N68°14'48"W
L85	86.47'	N72°56'37"W
L86	65.03'	S55°03'22"E
L87	96.84'	S63°02'27"E
L88	85.04'	S64°16'47"E
L89	109.92'	S64°34'52"E
L90	44.91'	S66°06'42"E
L91	117.20'	S67°02'32"E
L92	50.00'	S5°47'49"E



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Suffolk, Virginia

No.	Revision	Date	By
1	City Comments Dated 4/14/20	4/17/20	DI

Designed by DWP Checked by DWA

Issued for Date March 27, 20

Preliminary Plat Approval

Drawing Title
Preliminary Subdivision of Tax Map Parcel 32B * 3 Account #154000551 Port Logistics Center

Drawing Number
Sd-3

COMMONWEALTH OF VIRGINIA
4-24-20
DAVID W. ANDREA
Lic. No. 2215
LAND SURVEYOR

Sheet 3 of 4

Project Number 34297.09

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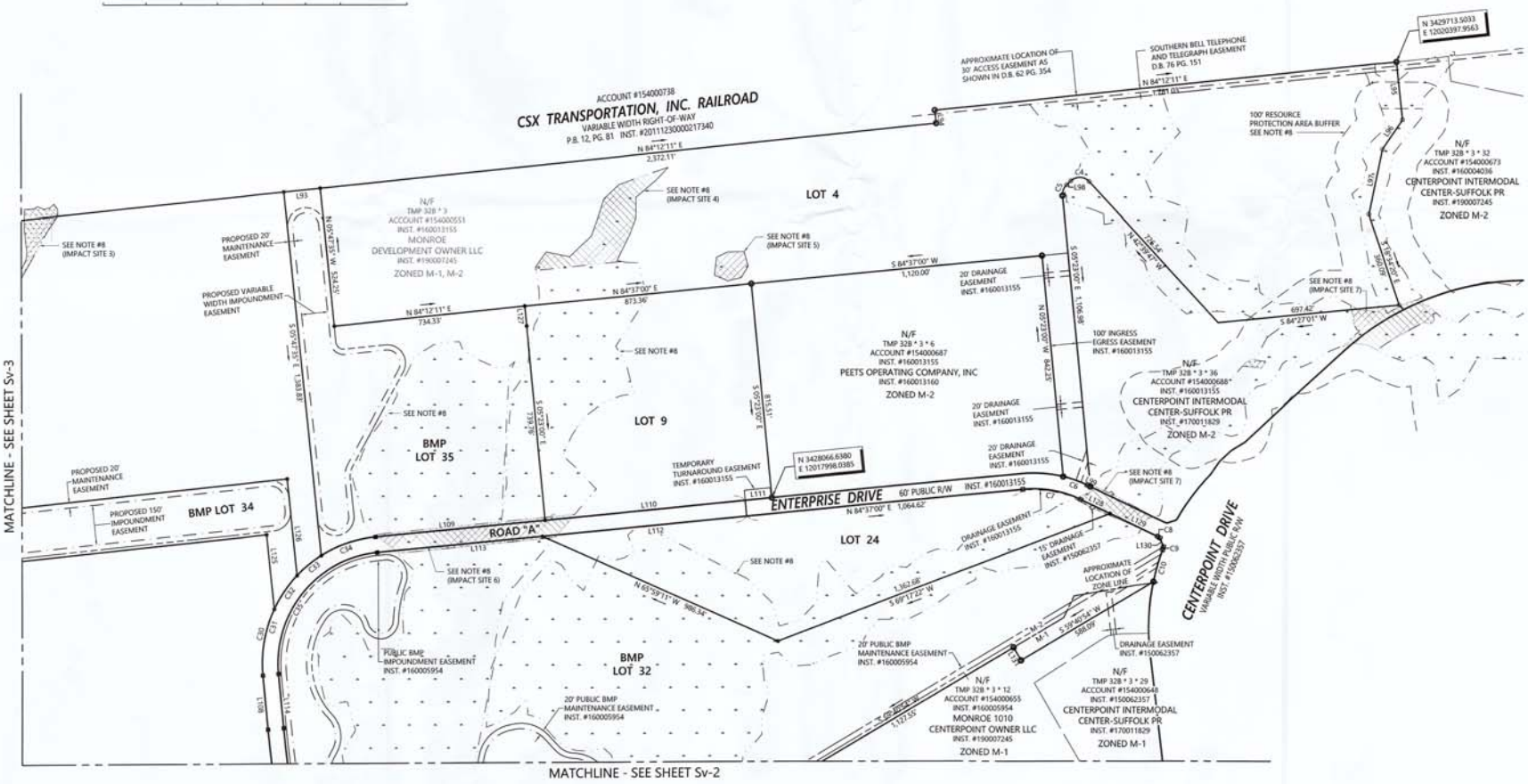
CURVE TABLE						
SEGMENT	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C4	50.00'	78.54'	090°00'00"	50.00'	70.71'	N87°39'47"W
C5	50.00'	46.01'	052°43'13"	24.78'	44.40'	S20°58'36"W
C6	480.00'	98.79'	011°47'30"	49.57'	98.61'	N70°16'20"W
C7	420.00'	227.29'	031°00'25"	116.50'	224.53'	S79°52'48"E
C8	40.00'	11.62'	016°38'45"	5.85'	11.58'	S56°03'12"E
C9	40.00'	11.62'	016°38'45"	5.85'	11.58'	S12°41'09"W
C10	830.00'	126.29'	008°43'05"	63.27'	126.17'	S16°38'59"W
C30	480.00'	754.09'	090°00'48"	480.11'	678.90'	N39°36'36"E
C31	480.00'	257.34'	030°43'02"	131.84'	254.27'	S09°57'43"W
C32	480.00'	155.07'	018°30'35"	78.21'	154.39'	S34°34'31"W
C33	480.00'	119.85'	014°18'22"	60.24'	119.54'	S50°59'00"W
C34	480.00'	221.84'	026°28'49"	112.94'	219.87'	S71°22'35"W
C35	420.00'	659.83'	090°00'48"	420.10'	594.04'	N39°36'36"E

LINE TABLE		
SEGMENT	DISTANCE	BEARING
L93	142.58'	N84°12'11"E
L94	50.00'	N5°47'49"W
L95	220.22'	S5°46'26"E
L96	135.81'	S34°45'15"W
L97	251.84'	S11°59'48"W
L98	21.95'	S47°20'13"W
L99	12.49'	N64°22'35"W
L108	205.10'	S5°23'48"E
L109	654.68'	S84°37'00"W
L110	770.22'	S84°37'00"W
L111	102.59'	S84°37'00"W

LINE TABLE		
SEGMENT	DISTANCE	BEARING
L112	786.19'	N84°37'00"E
L113	638.71'	N84°37'00"E
L114	205.10'	S5°23'48"E
L125	284.12'	S5°47'35"E
L126	368.39'	S5°47'35"E
L127	75.75'	S5°47'49"E
L128	124.11'	S64°22'35"E
L129	201.95'	S64°22'35"E
L130	35.13'	S21°41'02"E
L131	56.40'	N30°19'06"W



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Suffolk, Virginia

No.	Revision	Date	Appvd.
1	City Comments Dated 4/14/20	4/17/20	DWA

Designed by DWP Checked by DWA
Issued for Date March 27, 2020

Preliminary Plat Approval

Drawing Title
Preliminary Subdivision of Tax Map Parcel 32B * 3 Account #154000551 Port Logistics Center

COMMONWEALTH OF VIRGINIA
4-24-20
DAVID W. ANDREA
Lic. No. 2215
LAND SURVEYOR

Drawing Number
Sd-4

Sheet 4 of 4

Project Number
34297.09

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