



NOTICE OF PUBLIC HEARING

A Public Hearing of the Virginia Beach City Council will be held on **Tuesday, July 14, 2026 at 6:00 p.m. in the Council Chamber at City Hall, Building 1, 2nd Floor at 2401 Courthouse Drive, Virginia Beach, VA 23456**. Members of the public will be able to observe the City Council meeting through livestreaming on <https://virginiabeach.gov>, broadcast on VBTV, and via WebEx. Citizens who wish to speak can sign up to speak either in-person at the Council Chamber or virtually via WebEx by completing the two-step process below. All interested parties are invited to observe.

If you wish to make comments virtually during the public hearing, please follow the **two-step process** provided below:

1. Register with the City Clerk's Office by calling 757-385-4303 prior to 5:00 p.m. on July 14, 2026.
2. Download WebEx and view the meeting at:
<https://vbgov.webex.com/weblink/register/rbba0fc8c6926fac179f422655d7faf55>

The following requests are scheduled to be heard:

Shore Drive Area Properties, LLC (Applicant & Owner) Conditional Rezoning (PD-H1 Planned Unit Development District to Conditional B-4 (SD) Mixed Use District) & Conditional Use Permit (Multi-Family Dwellings) Address: 3853 Shore Drive & two vacant parcels directly southeast of 3853 Shore Drive GPINs: 1489286485, 1489289308, 1489288247 City Council: District 9 (Schulman)

City of Virginia Beach (Applicant & Owner) Rezoning (R-7.5 Residential District to P-1 Preservation District) Address: Vacant parcel on Upton Drive, directly north of 1088 Nimmo Parkway GPIN: 2414460549 City Council: District 5 (Wilson)

Craig & April Dean Property Owner: Craig Dean Conditional Use Permit (Short Term Rental) Address: 404 21st Street, Suite A GPIN: 2427085169 City Council: District 6 (Remick)

Craig & April Dean Property Owner: Craig Dean Conditional Use Permit (Short Term Rental) Address: 513 20th Street GPIN: 2417979808 City Council: District 6 (Remick)

Adarsh Jain Property Owner: Shells and Pearls LLC Conditional Use Permit (Short Term Rental) Address: 511 20th ½ Street Drive GPIN: 24179799630004 City Council: District 6 (Remick)

Amrsh Jain Property Owner: A&A Vacation Homes, LLC Conditional Use Permit (Short Term Rental) Address: 509 20th ½ Street Drive GPIN: 24179799630003 City Council: District 6 (Remick)

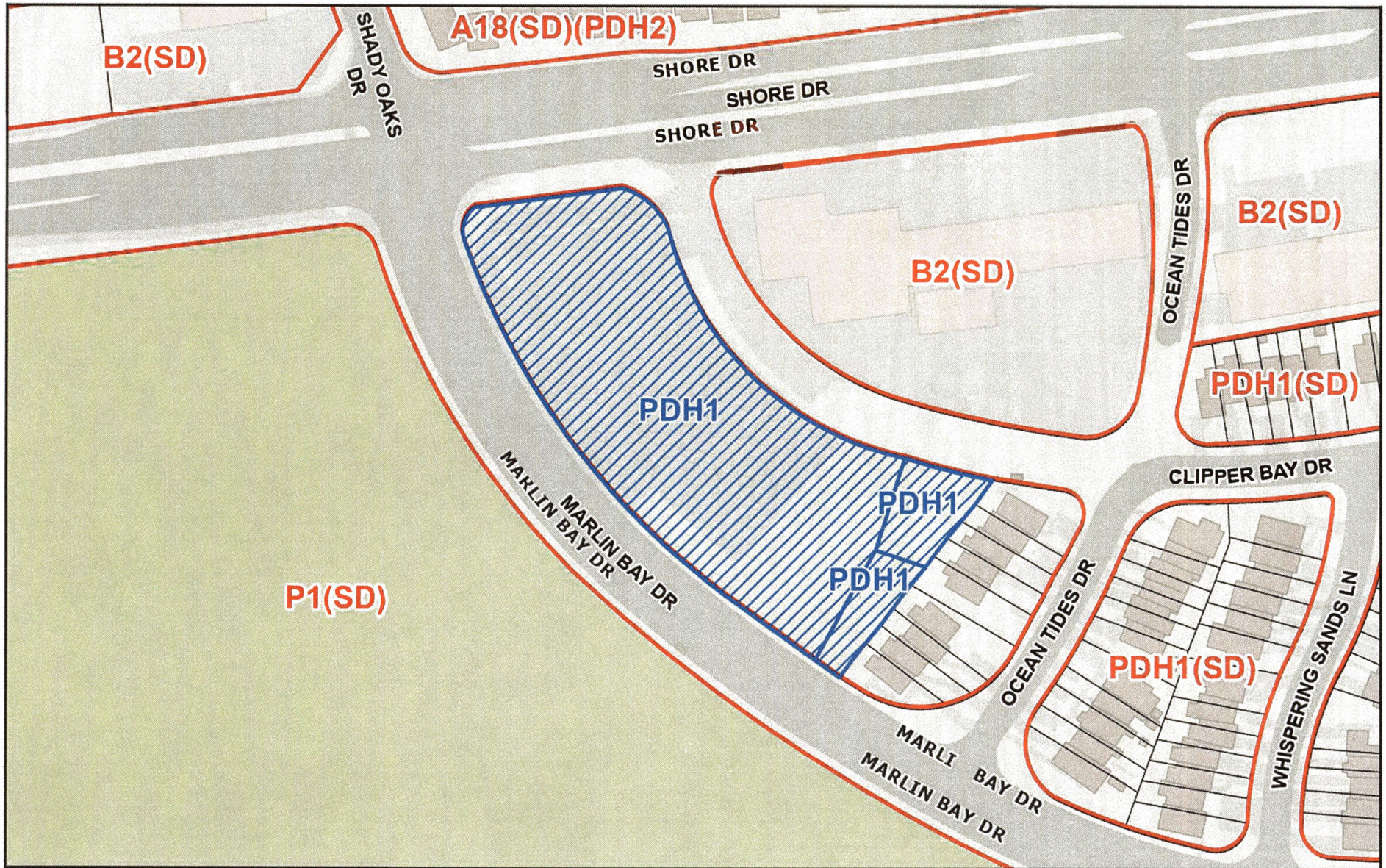
Copies of the proposed plans, ordinances, amendments and/or resolutions are on file and may be examined by appointment in the Planning Department at 2403 Courthouse Drive, Municipal Center, Building 3, Virginia Beach, VA 23456 or online at <https://virginiabeach.gov/pc>. For information call 757-385-4621.

If you require a reasonable accommodation for this meeting due to a disability, please call the City Clerk's Office at 757-385-4303. If you are hearing impaired, you can contact Virginia Relay at 711 for TDD service. The meeting will be broadcast on cable TV, <https://virginiabeach.gov> and Facebook Live.

Please check our website at <https://clerk.virginiabeach.gov/city-council> for the most updated meeting information.

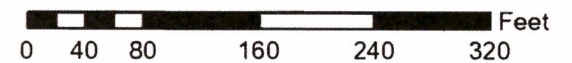
Amanda Barnes, MMC
City Clerk

PILOT – JUNE 30, 2026 & JULY 7, 2026 – 1 TIME EACH



-  Site
-  Zoning
-  Property Polygons

Shore Drive Area Properties, LLC
3853 Shore Drive & two parcels directly
southeast of 3853 Shore Drive





CITY OF VIRGINIA BEACH AGENDA ITEM

ITEM: SHORE DRIVE AREA PROPERTIES, LLC [Applicant & Property Owner] Conditional Rezoning (PD-H1 Planned Unit Development District to Conditional B-4(SD) Mixed Use District) & Conditional Use Permit (Multi-family Dwellings) for the property located at 3853 Shore Drive & two parcels directly southeast of 3853 Shore Drive (GPINs 1489286485, 1489289308, 1489288247). COUNCIL DISTRICT 9 (Schulman)

MEETING DATE: July 14, 2026

■ **Background:**

The applicant is requesting a Conditional Rezoning from PD-H1 Planned Unit Development District to Conditional B-4 Mixed Use District, along with a Conditional Use Permit for multi-family dwellings, to develop a 52-unit condominium project with a small commercial component on a 2.2-acre site within the Shore Drive Corridor Overlay District. The property is currently developed with a bulk storage yard and two vacant parcels. The proposed development would achieve a density of 23.63 units per acre and feature a building oriented toward the intersection of Shore Drive and Marlin Bay Drive, consisting primarily of five stories with ground-level parking and four residential floors above. The building transitions to three stories adjacent to existing townhomes to provide compatibility with neighboring residential development. A community-oriented retail space of approximately 2,000 to 2,500 square feet is proposed at the intersection of Shore Drive and Marlin Bay Drive.

The development will include a mix of two-, three-, and four-bedroom condominium units ranging from approximately 1,200 to 2,430 square feet, each with a private balcony. Resident amenities include shared and private rooftop terraces as well as an on-site pet relief area. Landscaping plans include enhanced streetscape plantings, parking lot and foundation landscaping, a 15-foot landscaped buffer with a privacy fence along the southern property line, and decorative fencing for surface parking areas.

The applicant is requesting two deviations from the B-4 (SD) Mixed Use District standards: a 15-foot reduction to the required setback along Clipper Bay Drive and an approximately 8-foot height increase for the rooftop-access stairwell projections near the residential properties to the south. Transportation improvements include a 10-foot-wide multi-use trail along Shore Drive and a 5-foot-wide sidewalk along Marlin Bay Drive, complementing the ongoing Shore Drive Pedestrian Improvements project. The proposal provides 126 parking spaces, exceeding the

112 to 114 spaces required by ordinance, and includes seven bicycle parking spaces. Because the site is located within the Shore Drive Corridor Overlay District, the applicant also presented the proposal to the Bayfront Advisory Commission on May 21, 2026, for review and discussion.

■ **Considerations:**

Staff and Planning Commission recommend approval of the applicant's requests to rezone the property from PD-H1 Planned Unit Development to Conditional B-4 Mixed Use District (SD) and for a Conditional Use Permit for a 52-unit condominium development with a small commercial space. The proposal is consistent with the Comprehensive Plan and Shore Drive Corridor objectives by redeveloping an underutilized bulk storage yard and vacant parcels into a neighborhood-serving mixed-use project that enhances the residential character of the corridor.

The development includes a thoughtfully designed building that is oriented toward the Shore Drive and Marlin Bay Drive intersection, incorporates a prominent corner feature, and steps down from five stories to three stories adjacent to existing townhomes to improve compatibility with surrounding residential uses. The project also provides private balconies, rooftop amenities, extensive landscaping, buffering, and screening to minimize impacts on neighboring properties.

Staff and the Planning Commission find the project supports multimodal transportation goals through the addition of a multi-use trail, sidewalks, internal pedestrian connections, bicycle parking, and the elimination of direct vehicular access to Shore Drive. Parking exceeds ordinance requirements, and the proposal is expected to have only a modest traffic impact relative to existing corridor traffic volumes. School, fire, and infrastructure reviews identified no significant concerns.

The requested setback and height deviations are supported because they are limited in scope, necessary for the building design, and are not expected to create adverse impacts on adjacent properties. The proposal still offers a 15-foot setback along Clipper Bay Drive, and the height deviation is strictly related to the stairwell projections, with the primary roofline meeting the 35-foot maximum height requirement when within 100 feet of a residential property. The project is also generally consistent with the intent of the Shore Drive Corridor Design Guidelines. Overall, the proposal advances key planning objectives, improves land use compatibility, and represents a high-quality redevelopment opportunity for the Shore Drive Corridor.

The applicant received support from the Bayfront Advisory Commission (BAC) contingent upon several recommendations to include, reducing the corner building height by at least 10 feet, increasing horizontal architectural articulation to reduce the perceived building mass, exploring permeable paving materials for stormwater management, providing an on-site pet relief station, and addressing potential undesirable commercial uses. The applicant has since provided revised

renderings to address these comments and has revised the elevations and proffers based on feedback from BAC.

Staff received 2 letters of support, 3 letters of concern, and 51 letters of opposition regarding the application. At the public hearing, one neutral speaker provided comments, two speakers expressed support, citing the project's contribution to long-term community investment and stability, aesthetic and economic benefits, improved stormwater management, and the incorporation of native species in the landscaping. Seven speakers spoke in opposition, raising concerns about building height, environmental impacts, increased traffic, overflow parking in surrounding neighborhoods, and potential flooding.

Further details pertaining to the application, as well as Staff's evaluation, are provided in the attached Staff Report.

■ **Recommendation:**

On June 10, 2026, the Planning Commission passed a motion to recommend approval of this request by a vote of 9 to 1 with 1 abstention.

Conditional Rezoning

Proffer 1

The Property shall be developed in substantial conformity with the conceptual site plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN", prepared by Timmons Group dated May 12, 2026 ("Conceptual Site Plan"), which has been exhibited to the Virginia Beach City Council ("City Council"), is on file with the Virginia Beach Department of Planning & Community Development ("Planning Department") and is included herein by this reference. Significant changes to the Conceptual Site Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

Proffer 2

The architectural design, appearance and exterior building materials of the building to be built on the Property shall be substantially compatible with the architectural design, appearance and exterior building materials depicted on the building renderings entitled "SHORE DRIVE CONDOMINIUM PROJECT REVISED CONCEPTUAL RENDERINGS", dated ~~December 19, 2025~~ June 30, 2026, prepared by Cox, Kliever & Company, P.C. and the building elevations entitled "SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION", dated ~~January 28~~ June 30, 2026, prepared by Cox, Kliever & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.

Proffer 3

The Property shall be landscaped in substantial conformity with the conceptual landscape plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN" prepared by Timmons Group dated May 12, 2026 ("Landscape Plan"), which has been exhibited to City Council, is on file with the Planning Department and is included herein by this reference. Significant changes to the Landscape Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

Proffer 4

All lighting on the Property shall be limited to that necessary for security purposes and to comply with applicable laws and shall be shielded to prevent glare and spillover onto adjacent properties.

Proffer 5

All onsite signage shall meet the requirements of the City Zoning Ordinance, unless otherwise approved by the Board of Zoning Appeals. The proposed sign package will be submitted to the Zoning Administrator for review and approval prior to the issuance of a sign permit.

Proffer 6

A designated pet relief area will be provided on the Property for residents.

Proffer 7

Prior to final site plan approval, GRANTOR will convey to GRANTEE a public access easement for portions of the multi-use trail along Shore Drive that are located outside the existing public right-of-way.

Proffer 8

The following uses will be prohibited on the Property whether by right or with a conditional use permit: bars and nightclubs; liquor stores and the sale of vape products.

Proffer 9

The Effective Date of this Agreement shall be the date this Agreement is approved by City Council; provided, however, in the event that this proposed amendment to the Zoning Map with respect to the Property is overturned by subsequent judicial determination, this Agreement shall be null and void.

Conditional Use Permit

1. There shall be a 15-foot setback for portions of the building and associated balconies along Clipper Bay Drive. This 15-foot setback is a deviation from the 30-foot setback required by the City Zoning Ordinance.
2. There shall be an approximate 8-foot increase (43 feet in height) above the maximum permitted height within 100 feet of a residential dwelling solely to accommodate localized stairwell projections that provide rooftop access at the southern end of the building. This 43-foot height is a deviation from the 35-foot height maximum required by the City Zoning Ordinance.
3. The site shall be developed in substantial conformance to the conceptual site plan entitled " SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN", prepared by Timmons Group, dated May 12, 2026, which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.
4. The site shall be developed in substantial conformance to the conceptual landscape plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN", prepared by Timmons Group, dated May 12, 2026, which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.
5. The architectural design, appearance and exterior building materials of the building shall be developed in substantial conformance to the building renderings entitled "SHORE DRIVE CONDOMINIUM PROJECT REVISED CONCEPTUAL RENDERINGS", dated ~~December 19, 2025~~ June 30, 2026, prepared by Cox, Klierer & Company, P.C. and the building elevations entitled "SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION", dated ~~January 28~~ June 30, 2026, prepared by Cox, Klierer & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.
6. An eight-foot-tall privacy fence shall be installed and maintained along the southern property line. The fence shall be constructed of a wood-like, low-maintenance material and finished in an earthtone color, as depicted on the building renderings referenced in Condition 5.
7. All on-site signage must meet the requirements and regulations of the Zoning Ordinance. A separate permit from the Department of Planning & Community Development is required for any new signage installed on the site.

8. All outdoor lights shall be shielded to direct light and glare onto the premises; said lighting and glare shall be deflected, shaded, and focused away from all adjoining property. Any outdoor lighting fixtures shall not be erected any higher than fourteen (14) feet. A Photometric Lighting Plan shall be submitted for review and approval during the final site plan review.
9. City Ordinances and Standards remain applicable to this property. Any site plan submitted with this application must meet all applicable City Codes and Standards before site plan approval will be granted. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

■ **Attachments:**

Staff Report and Disclosure Statements
Location Map
Proffer Agreement
Minutes of Planning Commission Hearing
Letter(s) of Support (2)
Letter(s) of Concern (3)
Letter(s) of Opposition (51)
Revised Building Renderings entitled "SHORE DRIVE CONDOMINIUM PROJECT REVISED CONCEPTUAL RENDERINGS", dated June 30, 2026

Recommended Action: Staff recommends Approval. Planning Commission recommends Approval.

Submitting Department/Agency: Planning Department



City Manager:



Agenda Items 13 & 14

Applicant & Property Owner: Shore Drive Area Properties, LLC
Planning Commission Public Hearing: June 10, 2026
City Council District: District 9 (Schulman)



Project Details

Request

Conditional Rezoning (PD-H1 Planned Unit Development District to Conditional B-4 (SD) Mixed Use District)
Conditional Use Permit (Multi-family Dwellings)

Staff Recommendation

Approval

Staff Planner

Marchelle Coleman

Location

3853 Shore Drive & two parcels directly southeast of 3853 Shore Drive

GPINs

1489286485, 1489289308, 1489288247

Site Size

2.2 acres

AICUZ

Less than 65 dB DNL

Watershed

Chesapeake Bay

Existing Land Use and Zoning District

Bulk Storage Yard / PD-H1 Planned Unit Development

Surrounding Land Uses and Zoning Districts

North

Shore Drive

Townhomes / A-18 Apartment

South

Townhomes / PD-H1 Planned Unit Development

East

Clipper Bay Drive

Boat sales and repair establishment / B-2

Community Business

West

Marlin Bay Drive

Pleasure House Point / P-1 Preservation



Background & Summary of Proposal

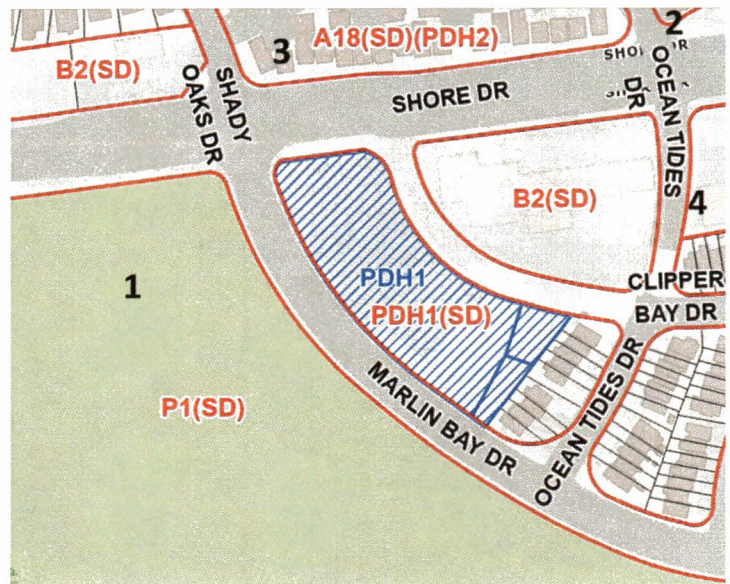
- The applicant is requesting a Conditional Rezoning from PD-H1 Planned Unit Development District to Conditional B-4 Mixed Use District and a Conditional Use Permit for Multi-family dwellings to develop a 52-unit multi-family residential development with a commercial space, resulting in an overall density of 23.63 units per acre.
- The 2.2-acre site, located within the Shore Drive Corridor Overlay District, is currently developed with a bulk storage yard and includes two additional vacant parcels.
- As depicted on the proffered conceptual site plan, the building will be oriented towards the intersection of Shore Drive and Marlin Bay Drive. The main portion of the building will be five stories tall, consisting of four residential floors over ground-level parking. The building height will decrease to three stories where it is adjacent to the existing townhomes. A 2,000 to 2,500 square foot community-oriented retail space is proposed at the corner of the building adjacent to the intersection of Shore Drive and Marlin Bay Drive.
- The development will offer a mix of two-, three-, and four-bedroom condominium residential units ranging in size from approximately 1,200 to 2,430 square feet. Each unit will include a private outdoor balcony designed as a single-story exterior amenity space.
- Multiple rooftop amenity areas are designed for residents to enjoy. A shared rooftop deck located atop the five-story portion of the building will serve as a common outdoor gathering space accessible to all residents. An additional rooftop terrace situated above the three-story portion of the building will provide more private outdoor space and will be limited to residents of the adjoining or directly connected units. The project will also incorporate an on-site pet relief area for residents' convenience.
- The proposed building materials will consist of light-colored fiber cement siding, architectural masonry block, simulated wood vertical plank siding in brown and dark earth tones, with light and dark colored metal accents, balconies with dark colored prefinished aluminum railings and glass infill panels, and vinyl windows and sliding patio doors with dark exterior trim.
- As shown on the conceptual landscape plan, the applicant will provide streetscape plantings along Shore Drive and Marlin Bay Drive, as well as interior parking lot and building foundation plantings. A 15-foot wide buffer with Category IV landscape screening and an eight-foot-tall wood-look privacy fence in an earthtone color will be provided along the southern property line. Additionally, all surface parking will be located behind a four-foot-tall decorative fence with landscaping. The proposed landscaping appears to meet the standards of the Zoning and Site Plan Ordinances; however, a more detailed review of all screening and planting requirements will occur during final site plan review.
- The applicant is requesting approval of two deviations from the dimensional requirements of the B-4 (SD) Mixed Use District. The first request is for a 15-foot reduction to the required 30-foot setback for portions of the building and associated balconies along Clipper Bay Drive. The second request involves an approximate 8-foot increase over the maximum permitted building height within 100 feet of a residential

dwelling to accommodate stairwell projections that provide rooftop access at the southern end of the building. While these stairwell elements will reach an approximate height of 43 feet, the primary height for this portion of the building is approximately 33.5 feet, which is within the 35-foot maximum required by the Ordinance. Accordingly, the applicant seeks approval of the setback and height deviations pursuant to Section 221(i) of the Zoning Ordinance.

- Right-of-way improvements are proposed in accordance with the proffered conceptual plans and include a 10-foot-wide multi-use trail along Shore Drive and a 5-foot-wide sidewalk proposed along Marlin Bay Drive, consistent with the recommendations of the Public Works Design Standards Manual. In addition, the Shore Drive Pedestrian Improvements project is currently under construction along the frontage of the subject property, which includes the installation of curb and gutter and a new 5-foot-wide sidewalk within the public right-of-way. Completion of these improvements is anticipated by September 2026.
- Per Section 203 of the Zoning Ordinance, multi-family dwellings require 2 spaces per dwelling unit for the first 50 units located on a zoning lot and 1.75 spaces per dwelling unit for all units in excess of 50 units, and retail establishments require 1 space per 250 square feet of floor area. The proposed 52 multi-family dwellings require 104 parking spaces, and the proposed 2,000 to 2,500 square foot commercial space requires 8 to 10 parking spaces for a total of 112 to 114 required spaces. The conceptual plan depicts 126 parking spaces, thereby satisfying the parking requirement. Additionally, as required by Section 203(b)(12) of the Zoning Ordinance, seven bicycle parking spaces are required and provided to accommodate both residents and visitors, as depicted on the proffered conceptual site plan.
- Since the property is located within the Shore Drive Corridor Overlay District, the applicant appeared before the Bayfront Advisory Commission (BAC) on May 21, 2026, to brief the commission on the proposal. More detailed information regarding this meeting is provided in the evaluation section of this report.

Zoning History

#	Request
1	REZ (PD-H1 to P-1 Preservation) Approved 11/27/2012
2	CRZ (B-2 to Conditional B-4) Approved 07/01/2003 CUP (Multiple-Family Dwellings and Office Space) Approved 07/01/2003
3	REZ (B-2 & P-1 to A-18 (PDH2) Approved 04/28/1998
4	REZ Approved 11/23/1987



Application Types

CUP: Conditional Use Permit

REZ: Rezoning

CRZ: Conditional Rezoning

MDC: Modification of
Conditions

MDP: Modification of Proffers

NON: Nonconforming Use

STC: Street Closure

FVR: Floodplain Variance

ALT: Alternative Compliance

SVR: Subdivision Variance

LUP: Land Use Plan

STR: Short Term Rental

Evaluation & Recommendation

These requests for a Conditional Rezoning from PD-H1 Planned Unit Development district to Conditional B-4 Mixed Use District (SD) and a Conditional Use Permit for Multi-family dwellings to develop a 52-unit multi-family residential development with a commercial space are, in Staff's opinion, acceptable.

The requested Conditional Rezoning to Conditional B-4 (SD) Mixed-Use District and the associated Conditional Use Permit for Multi-family dwellings are recommended for approval by staff based on the project's consistency with adopted land use policies, its redevelopment of an underutilized site, and its generally appropriate compatibility with the surrounding Shore Drive Corridor Overlay District.

Ultimately, the proposed redevelopment replaces a bulk storage yard and vacant parcels with a thoughtfully designed 52-unit condominium development and approximately 2,000 to 2,500 square feet of community-oriented retail. This transition represents a clear improvement in land use compatibility and is consistent with the Comprehensive Plan and Shore Drive Corridor objectives that encourage the reuse of aging commercial properties, support neighborhood-serving mixed-use development, and enhance the corridor's identity as a residential community rather than a destination-oriented commercial area. The inclusion of small-scale,

corner-oriented retail further supports the daily needs of nearby residents and contributes to a more active and walkable street environment.

The proposed site design demonstrates strong planning principles through its orientation of the building toward the Shore Drive and Marlin Bay Drive intersection, incorporation of a defined corner feature, and step-down in building height from five stories to three stories adjacent to the existing townhomes. These elements reflect sensitivity to surrounding residential uses and align with guidance that encourages compatible transitions in scale, particularly adjacent to established neighborhoods. The proposed unit mix, private balconies, and rooftop amenity areas further support a residential character appropriate for the corridor.

Staff also finds the proposal generally consistent with mobility and multimodal objectives. The inclusion of a 10-foot-wide multi-use trail along Shore Drive, sidewalk along Marlin Bay Drive, and coordination with the ongoing Shore Drive Pedestrian Improvements project advance long-term goals for a continuous pedestrian network within the corridor. The project's commitment to internal pedestrian connectivity between the public sidewalk, trail system, building entrance, and retail corner helps ensure that pedestrian access is prioritized and integrated into the overall site design. Additionally, the elimination of direct vehicular access to Shore Drive improves traffic safety and supports corridor function.

Parking and bicycle accommodations meet and exceed zoning requirements, and the provision of bicycle parking further supports multimodal transportation goals.

Additionally, the project incorporates meaningful buffering and screening measures that further support compatibility with adjacent residential uses. Enhanced landscaping, a 15-foot-wide buffer with privacy fencing along the southern property line, and screening of surface parking areas help reduce visual impacts and reinforce separation from neighboring townhomes. These measures are consistent with Shore Drive Corridor Design guidelines, which recommends strong landscape edges and minimizing parking visibility from the public rights-of-way.

As previously discussed, the applicant is requesting two deviations from the dimensional requirements of the B-4 (SD) Mixed Use District: (1) a 15-foot reduction to the required 30-foot setback for portions of the building and associated balconies along Clipper Bay Drive, and (2) an approximate 8-foot increase above the maximum permitted height within 100 feet of a residential dwelling to accommodate localized stairwell projections that provide rooftop access at the southern end of the building. Although these stairwell elements reach an approximate height of 43 feet, the primary roofline for this portion of the structure remains significantly lower at approximately 33.5 feet, which is within the 35-foot maximum building height established by the Ordinance. Section 221(i) of the Zoning Ordinance authorizes the City Council to approve such deviations when good cause is demonstrated, and no significant adverse impact on surrounding properties is expected. Staff supports the requested deviations as they are limited in scope, functionally necessary, and carefully integrated into the overall building design. The setback reduction is applied to minor portions of the building and balconies and does not materially alter the building's overall massing, while the requested height increase is isolated to rooftop access stair enclosures and does not reflect an increase in the principal habitable building height. Importantly, both deviations are offset by the project's broader design approach, which includes step-down massing toward adjacent residential uses, architectural articulation, and enhanced landscaping and buffering

along property edges. Accordingly, staff finds that good cause has been demonstrated for both deviations and that they can be supported as part of the overall redevelopment plan without resulting in significant adverse effects to adjacent properties or the surrounding corridor context.

From a design perspective, the proposed building generally reflects the intent of the Shore Drive Corridor Design Guidelines and demonstrates numerous positive architectural and site planning elements consistent with those principles. These include a well-defined corner treatment at Shore Drive and Marlin Bay Drive, articulated building façades, incorporation of a mix of materials, a clearly defined primary entrance, and a step-down in building height toward adjacent residential properties. Collectively, these features indicate a design approach that is responsive to key corridor objectives. However, it is important to note that the Shore Drive Corridor Design Guidelines are intended to function as guiding principles rather than strict regulatory requirements. They are used to inform the design review process and evaluate whether a proposal is generally consistent with the desired character of the corridor, but they do not constitute mandatory standards that must be met in all respects. As such, conformance is appropriately considered in terms of overall intent and design response rather than strict compliance with each individual guideline. Overall, staff finds the project to be generally consistent with the intent of the Shore Drive Corridor Design Guidelines.

Traffic Engineering evaluated the proposed redevelopment and determined that the project would generate an estimated 460 average daily trips (ADT), based on the proposed mix of 52 multi-family residential units and a commercial retail use. As stated previously, the site is currently developed as a bulk storage yard, which generates negligible daily traffic volumes. Shore Drive, adjacent to the subject property, currently carries approximately 40,500 ADT and operates above its estimated capacity of 36,900 ADT at a Level of Service (LOS) "D." Shore Drive is classified in the Master Transportation Plan as a four-lane divided major urban arterial, with future plans ultimately envisioning a six-lane facility within a 150-foot right-of-way.

Several transportation and pedestrian infrastructure improvements are planned or underway within the corridor. The Shore Drive Pedestrian Improvements project, currently under construction along the frontage of the site, includes curb and gutter improvements and installation of a new 5-foot sidewalk within the public right-of-way, with completion anticipated in September 2026. Additionally, the Shore Drive Corridor Improvements – Phase IV project is proposed to extend from Marlin Bay Drive to the western end of the Lesner Bridge and is intended to improve vehicular operations, pedestrian and bicycle connectivity, drainage infrastructure, and corridor aesthetics through the addition of multi-use trails, sidewalks, bike lanes, landscaping, and lighting enhancements. This project is currently in the Preliminary Engineering Report phase, with construction anticipated to begin in 2032. The preliminary design identifies a potential stormwater pump station on the northern portion of the property, which may require future coordination with the proposed development.

Access to the site will be provided from Marlin Bay Drive, a two-lane divided local street for which no current traffic counts are available. No roadway improvements are currently planned for Marlin Bay Drive. Overall, Traffic Engineering finds the projected trip generation associated with the redevelopment to be relatively modest given the existing traffic volumes along Shore Drive and recognizes that ongoing and planned corridor improvements will continue to enhance multimodal connectivity and transportation infrastructure within the area.

Information provided by the Virginia Beach City Public School Staff indicates that the proposed development is within the acceptable threshold for increases in student population. Based on this, the proposal is not expected to negatively impact the current student enrollment.

The proffered conceptual site plan has been reviewed by the Fire Marshal's Office and no concerns were raised with the proposed layout or circulation. Further review will be conducted during the final site plan review process.

This site is located within the Chesapeake Bay Watershed; therefore, a preliminary stormwater analysis was not required prior to review by the Planning Commission and City Council. According to the applicant, stormwater will be managed underground, as no BMP or above-ground stormwater management facility is proposed for this development. A comprehensive review of the stormwater management strategy will be conducted during the site plan review process to ensure compliance with all applicable stormwater regulations and to confirm that the project will not cause adverse flooding impacts upstream or downstream.

The applicant presented their development proposal, including sharing the concept site plan, as well as the building elevations and renderings, to the Bayfront Advisory Commission on May 21, 2026. The Bayfront Advisory Commission voted to support the application contingent upon several recommendations, including reducing the building height at the corner of Shore Drive and Marlin Bay by a minimum of 10 feet; revising the building elevations to reduce the perceived scale through greater horizontal articulation rather than the current vertical emphasis; evaluating the use of permeable materials to enhance stormwater management and minimize community impacts; providing a pet relief station; addressing unwanted uses; and establishing operational and management standards for the commercial space.

Overall, staff finds the proposal to be a well-planned development that advances key Comprehensive Plan objectives for the Shore Drive Corridor, including redevelopment of underutilized properties, promotion of neighborhood-serving mixed-use development, improved pedestrian connectivity, and enhanced design quality. The project appropriately balances increased residential density with thoughtful transitions, buffering, and design elements that maintain compatibility with adjacent residential uses.

Based on the considerations above, Staff recommends approval of this request, subject to the proffers and conditions listed below.

Proffers

The following are proffers submitted by the applicant as part of a Conditional Zoning Agreement (CZA). The applicant, consistent with Section 107(h) of the City Zoning Ordinance, has voluntarily submitted these proffers in an attempt to “offset identified problems to the extent that the proposed rezoning is acceptable,” (§107(h)(1)). Should this application be approved, the proffers will be recorded at the Circuit Court and serve as conditions restricting the use of the property as proposed with this change of zoning.

Proffer 1

The Property shall be developed in substantial conformity with the conceptual site plan entitled “SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN”, prepared by Timmons Group dated May 12, 2026 (“Conceptual Site Plan”), which has been exhibited to the Virginia Beach City Council (“City Council”), is on file with the Virginia Beach Department of Planning & Community Development (“Planning Department”) and is included herein by this reference. Significant changes to the Conceptual Site Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

Proffer 2

The architectural design, appearance and exterior building materials of the building to be built on the Property shall be substantially compatible with the architectural design, appearance and exterior building materials depicted on the building renderings entitled “SHORE DRIVE CONDOMINIUM PROJECT REVISED CONCEPTUAL RENDERINGS”, dated ~~December 19, 2025~~ June 30, 2026, prepared by Cox, Kliewer & Company, P.C. and the building elevations entitled “SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION”, dated ~~January 28~~ June 30, 2026, prepared by Cox, Kliewer & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.

Proffer 3

The Property shall be landscaped in substantial conformity with the conceptual landscape plan entitled “SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN” prepared by Timmons Group dated May 12, 2026 (“Landscape Plan”), which has been exhibited to City Council, is on file with the Planning Department and is included herein by this reference. Significant changes to the Landscape Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

Proffer 4

All lighting on the Property shall be limited to that necessary for security purposes and to comply with applicable laws and shall be shielded to prevent glare and spillover onto adjacent properties.

Proffer 5

All onsite signage shall meet the requirements of the City Zoning Ordinance, unless otherwise approved by the Board of Zoning Appeals. The proposed sign package will be submitted to the Zoning Administrator for review and approval prior to the issuance of a sign permit.

Proffer 6

A designated pet relief area will be provided on the Property for residents.

Proffer 7

Prior to final site plan approval, GRANTOR will convey to GRANTEE a public access easement for portions of the multi-use trail along Shore Drive that are located outside the existing public right-of-way.

Proffer 8

The following uses will be prohibited on the Property whether by right or with a conditional use permit: bars and nightclubs; liquor stores and the sale of vape products.

Proffer 9

The Effective Date of this Agreement shall be the date this Agreement is approved by City Council; provided, however, in the event that this proposed amendment to the Zoning Map with respect to the Property is overturned by subsequent judicial determination, this Agreement shall be null and void.

Staff Comments: Staff has reviewed the Proffers listed above and finds them acceptable. The City Attorney's Office has reviewed the agreement and found it to be legally sufficient and in acceptable legal form.

Comprehensive Plan Information

The [Comprehensive Plan](#) identifies this site as being in Suburban Focus Area 1 – Shore Drive Corridor. The Shore Drive Corridor is an integral part of the Bayfront Community, extending from North Independence Boulevard to First Landing State Park. While primarily a residential community, the corridor shares the responsibility of being one of Virginia Beach's primary east-west connectors, creating unique and sometimes problematic challenges. The area is considered a resort neighborhood and not a resort destination. The Shore Drive Corridor is primarily a residential neighborhood area with commercial uses that support the neighborhoods, and passive recreational and tourism activities.

Similar to all the Suburban Areas in the City, the character of the established neighborhoods along the Corridor must be preserved and protected. Though revitalization and reuse of existing commercial properties in the Corridor is encouraged, one must be mindful of the land use compatibility and avoidance of over-commercialization to ensure that resort-based uses complement rather than dominate the Corridor. Future residential uses should strive to achieve the lowest reasonable density to be compatible with the existing neighborhood residential density. ([Shore Drive Corridor Plan \(2000\)](#))

This site is located within the Mixed Zone of Shore Drive Corridor, which generally suggests an area for a mix of residential and commercial uses, while being compatible with surrounding neighborhood through careful site design, landscaping, screening, and a softer transition in character along Shore Drive Corridor, especially given the site's proximity to the Green Zone. However, the portion of the south side of Shore Drive is characterized primarily by commercial uses and natural areas rather than a traditional residential pattern, including within the adjacent Green Zone, which is generally envisioned for low-density residential development([Shore Drive Corridor Design Guidelines \(2002\)](#)).

Planning policies that apply to this request include improving the land use compatibilities, avoiding over-commercialization, preserving and protecting the character of established neighborhoods and achieving the lowest reasonable density for future residential uses.

Recommended Conditions

1. There shall be a 15-foot setback for portions of the building and associated balconies along Clipper Bay Drive. This 15-foot setback is a deviation from the 30-foot setback required by the City Zoning Ordinance.
2. There shall be an approximate 8-foot increase (43 feet in height) above the maximum permitted height within 100 feet of a residential dwelling solely to accommodate localized stairwell projections that provide rooftop access at the southern end of the building. This 43-foot height is a deviation from the 35-foot height maximum required by the City Zoning Ordinance.
3. The site shall be developed in substantial conformance to the conceptual site plan entitled " SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN", prepared by Timmons Group, dated May 12, 2026, which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.
4. The site shall be developed in substantial conformance to the conceptual landscape plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN", prepared by Timmons Group, dated May 12, 2026, which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.
5. The architectural design, appearance and exterior building materials of the building shall be developed in substantial conformance to the building renderings entitled "SHORE DRIVE CONDOMINIUM PROJECT REVISED CONCEPTUAL RENDERINGS", dated ~~December 19, 2025~~ June 30, 2026, prepared by Cox, Kliever & Company, P.C. and the building elevations entitled "SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION", dated ~~January 28~~ June 30, 2026, prepared by Cox, Kliever & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.
6. An eight-foot-tall privacy fence shall be installed and maintained along the southern property line. The fence shall be constructed of a wood-like, low-maintenance material and finished in an earthtone color, as depicted on the building renderings referenced in Condition 5.
7. All on-site signage must meet the requirements and regulations of the Zoning Ordinance. A separate permit from the Department of Planning & Community Development is required for any new signage installed on the site.
8. All outdoor lights shall be shielded to direct light and glare onto the premises; said lighting and glare shall be deflected, shaded, and focused away from all adjoining property. Any outdoor lighting fixtures shall not be erected any higher than fourteen (14) feet. A Photometric Lighting Plan shall be submitted for review and approval during the final site plan review.
9. City Ordinances and Standards remain applicable to this property. Any site plan submitted with this application must meet all applicable City Codes and Standards before site plan approval will be granted. All

applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Natural & Cultural Resources Impacts

The site is located in the Chesapeake Bay watershed. The site is also located in the AE and X Flood Zones with a Base Flood Elevation of 7 feet.

There are no known historic or cultural resources that will be affected by this project.

Traffic Impacts/Transportation

Traffic Counts

Street Name	Present Volume	Present Capacity	Generated Traffic
Shore Drive	40,500 ADT ¹	36,900 ADT ¹ (LOS ⁴ "D")	Existing Land Use ² –0 ADT Proposed Land Use ³ – 460 ADT

¹ Average Daily Trips

²As defined by a Bulk Storage Yard

³As defined by 52 multi-family units and retail

⁴LOS = Level of Service

Master Transportation Plan (MTP) and Capital Improvement Program (CIP)

Shore Drive in the vicinity of this application is considered a four-lane divided major urban arterial. The Master Transportation Plan proposes a six-lane facility within a 150-foot right-of-way.

The Shore Drive Pedestrian Improvements project is now under construction along the frontage of this site. This project will add curb and gutter and a 5-foot-wide sidewalk in the right-of-way. Construction is scheduled to be completed in September 2026.

The Shore Drive Corridor Improvements-Phase IV project begins at the Marlin Bay Drive intersection and ends at the west end of the Lesner Bridge. This project will improve vehicular and pedestrian traffic flow and safety in the roadway and intersections; improve storm drainage; include a multi-use trail, 5-foot-wide sidewalk and on-street bike lanes; and enhance the corridor with aesthetic elements such as landscaping and lighting. It will include improvements at the East Stratford Road intersection. The project is currently in the Preliminary Engineering Report (PER) phase, and construction is scheduled to begin in 2032. *The PER identifies a proposed stormwater pump station within the northern portion of the property in an area that may affect the proposed development. However, the pump station location shown is conceptual and remains under evaluation as part of the ongoing design process, which includes consideration of surrounding properties and alternative siting options. As such, the final design and location of the pump station have not yet been determined.*

Marlin Bay Drive is a two-lane, divided local street. There are no traffic counts available for this roadway and there are currently no plans to improve this roadway.

Active Transportation Plan (ATP)

The Active Transportation Plan calls for a shared-use path with a minimum width of 11 feet.

Public Utility Impacts

Water

There is an existing 16-inch City water transmission main along Shore Drive and an existing 8-inch City water main along Marlin Bay Drive. The site must connect to City water.

Sewer

There is an existing 18-inch HRSD sanitary sewer force main along Shore Drive and an existing 8-inch City sanitary sewer gravity main along Ocean Tides Drive and Clipper Bay Drive. The site must connect to City sewer. Sanitary sewer pump station #308 has capacity for the proposed 52 condo units. Extension of the City sanitary sewer gravity main to the site will be required from the existing sanitary sewer on Ocean Tides Drive. Public Utilities review will be necessary for the extension.

School Impacts

School	Current Enrollment	Capacity	Generation ¹	Change ²
Thoroughgood Elementary	726 students	709 students	7 students	7 students
Great Neck Middle	1,060 students	1,103 students	4 students	4 students
Cox High	1,586 students	1,743 students	5 students	5 students

1 "Generation" represents the number of students the development will add to the school.

2 “Change” represents the difference between the number of potential or actual students generated under the existing zoning and the number generated under the proposed zoning. The number can be positive (additional students) or negative (fewer students).

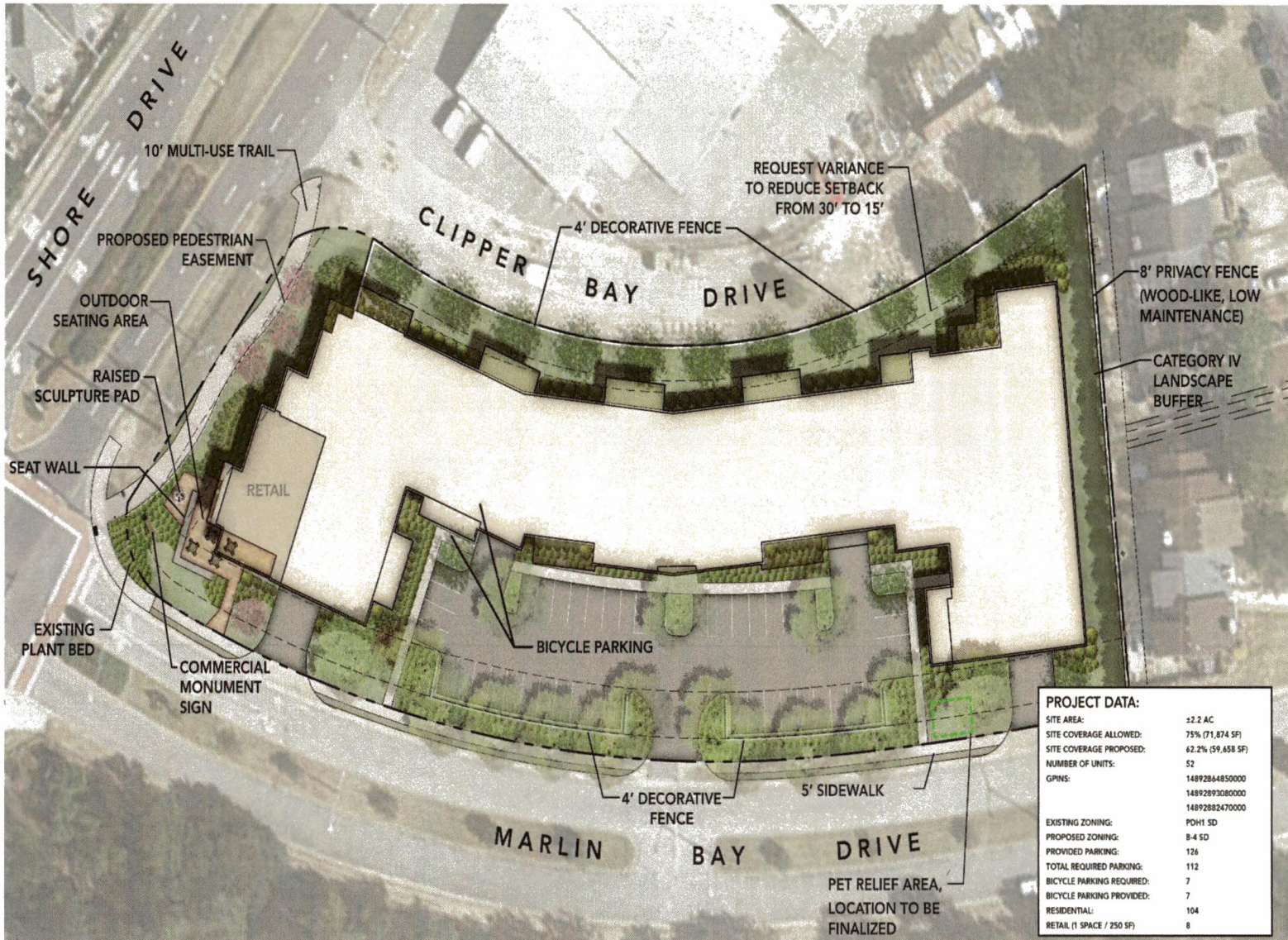
Public Outreach Information

Planning Commission

- Over the past two years, the applicant has participated in more than 30 meetings with community members, civic leagues, neighborhood organizations, City staff, and stakeholder groups, including the Ocean Park Civic League, Aeries on the Bay Civic League, Baylake Pines Civic League, Chesapeake Beach Civic League, and the Bayfront Advisory Commission. These meetings were conducted to present the proposed development, gather community feedback, and facilitate ongoing dialogue regarding the project. Input received throughout this outreach process contributed to several modifications to the proposal, including reductions in overall density and refinements to the site design, architectural character, and project features. This extensive public engagement process has helped shape a project that is more responsive to the character and priorities of the Shore Drive Corridor community.
- As of June 2, 2026, Staff has received 16 letters of opposition expressing concerns related to building height, potential environmental impacts, increased traffic and associated safety issues, the potential contribution to vacant housing in the area, overflow parking into surrounding neighborhoods, and potential flooding impacts.
- As required by the Zoning Ordinance, the public notice sign(s) was placed on the property on May 11, 2026.
- As required by State Code, this item was advertised in the Virginian-Pilot on Wednesdays, May 27, 2026, and June 3, 2026.
- As required by City Code, the adjacent property owners were notified regarding the request and the date of the Planning Commission public hearing on May 25, 2026.
- This Staff report, as well as all reports for this Planning Commission’s meeting, was posted on the Commission’s webpage of virginiabeach.gov/pc on June 4, 2026.

City Council

- As required by City Code, this item was advertised in the Virginian-Pilot on Tuesdays, June 30, 2026 and July 7, 2026.
- As required by City Code, the adjacent property owners were notified regarding both the request and the date of the City Council’s public hearing on June 29, 2026.
- The City Clerk’s Office posted the materials associated with the application on the City Council website of <https://clerk.virginiabeach.gov/city-council> on July 10, 2026.



PROJECT DATA:	
SITE AREA:	±2.2 AC
SITE COVERAGE ALLOWED:	75% (71,874 SF)
SITE COVERAGE PROPOSED:	42.2% (59,458 SF)
NUMBER OF UNITS:	52
GPINS:	14892864850000 14892893080000 14892882470000
EXISTING ZONING:	PDH1 SD
PROPOSED ZONING:	B-4 SD
PROVIDED PARKING:	126
TOTAL REQUIRED PARKING:	112
BICYCLE PARKING REQUIRED:	7
BICYCLE PARKING PROVIDED:	7
RESIDENTIAL:	104
RETAIL (1 SPACE / 250 SF)	8

SHORE DRIVE CONDOMINIUM PROJECT
 CONCEPTUAL DEVELOPMENT PLAN - May 12, 2026



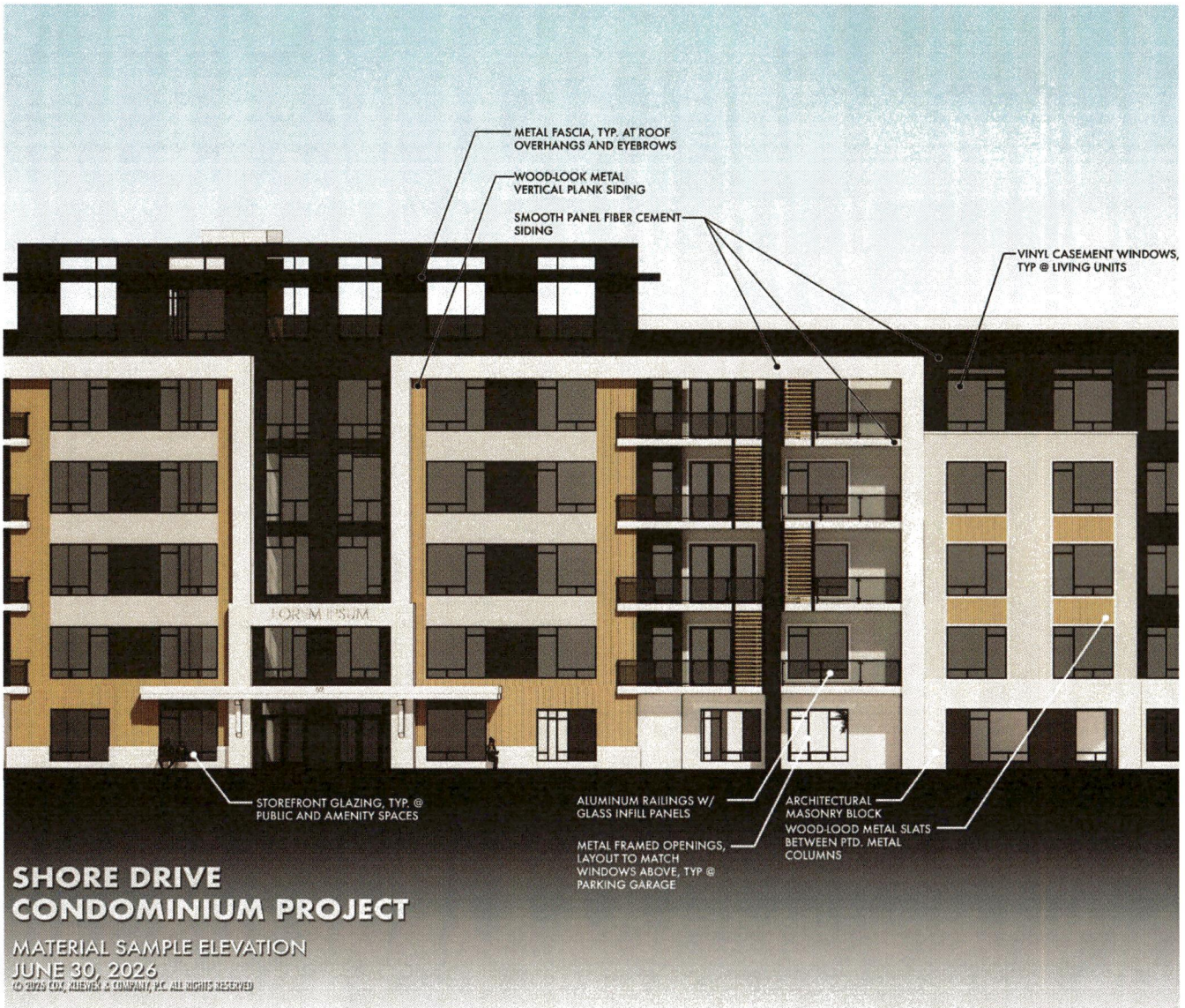


CONCEPT PLANT SCHEDULE

<p>LARGE CANOPY TREE</p> <ul style="list-style-type: none"> <i>Quercus virginiana</i> / Live Oak <i>Quercus phellos</i> / Willow Oak <i>Quercus falcata</i> / Southern Red Oak 	<p>UPRIGHT EVERGREEN SHRUB</p> <ul style="list-style-type: none"> <i>Morella caroliniana</i> / Wax Myrtle <i>Nerium oleander</i> / Oleander <i>Ligustrum</i> spp. / Ligustrum
<p>MEDIUM SHADE TREE</p> <ul style="list-style-type: none"> <i>Ulmus parvifolia</i> 'Alber' / Albee Elm <i>Magnolia virginiana</i> / Sweetbay Magnolia <i>Acer buergerianum</i> / Trident Maple 	<p>BACKGROUND EVERGREEN SHRUB</p> <ul style="list-style-type: none"> <i>Prunus laurocerasus</i> 'Zabelliana' / Zabel Cherry Laurel <i>Ilex glabra</i> / Inkberry Holly <i>Taxus cuspidata</i> / Japanese Yew
<p>ACCENT TREE</p> <ul style="list-style-type: none"> <i>Anelachne arborea</i> / Downy Serviceberry <i>Cercis canadensis</i> / Red Bud <i>Chionodoxa virginica</i> / White Fringetree 	<p>FLOWERING SHRUB</p> <ul style="list-style-type: none"> <i>Hughesia umbellata</i> 'Minor' / Dwarf Raphiolepis <i>Ilex virginica</i> / Virginia Sweetgum <i>Spiraea</i> n. <i>humilis</i> / Humilis Japanese Spiraea
<p>EVERGREEN TREE</p> <ul style="list-style-type: none"> <i>Pinus taeda</i> / Loblolly Pine <i>Pinus palustris</i> / Longleaf Pine <i>Ilex opaca</i> / American Holly 	<p>LOW EVERGREEN SHRUB</p> <ul style="list-style-type: none"> <i>Pittosporum tobira</i> 'Wheeler's Dwarf' / Dwarf Pittosporum <i>Pennisetum setosum</i> 'Vammi' / Dwarf Fountain Grass <i>Ilex glabra</i> 'Shamrock' / Shamrock Dwarf Inkberry

SHORE DRIVE CONDOMINIUM PROJECT
 CONCEPTUAL LANDSCAPE PLAN - May 12, 2026





Cox, Kliewer &
Company, P.C.
ARCHITECTURE



Cox, Kiewit &
Company, P.C.

**SHORE DRIVE
CONDOMINIUM PROJECT**

REVISED CONCEPTUAL RENDERINGS
JUNE 30, 2026

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SHORE DRIVE
CONDOMINIUM PROJECT

CONCEPTUAL RENDERINGS

2026

COMPANY, P.C. ALL RIGHTS RESERVED





Site Photos



Site Photos





CITY OF
**VIRGINIA
BEACH**

**Disclosure
Statement**

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. Completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council, boards, commissions, or other bodies.

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:
as listed on application Shore Drive Area Properties, LLC

Is Applicant also the Owner of the subject property? Yes No
If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes No
If yes, name Representative: Lisa Murphy, Wilcox & Savage, P.C.

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes No
If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary ¹ or affiliated business entity ² relationship with the applicant. (Attach list if necessary.)

F Wayne McLeskey, Jr QTIP Marital Trust FBO Cheryl McLeskey
See Attachment

Does the subject property have a proposed or pending purchaser? Yes No
If yes, name proposed or pending purchaser: _____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes No
If yes, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)

SERVICE	YES	NO	SERVICE PROVIDER <i>(Name entity and/or individual)</i>
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	
Real Estate Broker/Agent/Realtor	<input type="radio"/>	<input checked="" type="radio"/>	

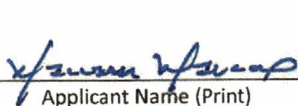

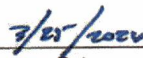
Disclosure Statement

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Accounting/Tax Return Preparation	<input checked="" type="radio"/>	<input type="radio"/>	Forvis Mazars, LLP
Architect/Designer/Landscape Architect/Land Planner	<input checked="" type="radio"/>	<input type="radio"/>	Cox, Kiewit & Company, P.C.
Construction Contractor	<input type="radio"/>	<input checked="" type="radio"/>	
Engineer/Surveyor/Agent	<input checked="" type="radio"/>	<input type="radio"/>	Timmons Group
Legal Services	<input checked="" type="radio"/>	<input type="radio"/>	Lisa Murphy, Wilcox & Savage, P.C. Kathryn P. McIntyre, Wilks, Alper, Harwood & McIntyre, P.C.

APPLICANT CERTIFICATION

READ: I certify that all information contained in this Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein three weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Applicant Name (Print) Applicant Signature Date

¹ "Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

FOR CITY USE ONLY:

No changes as of (date): 6/30/2026




Marchelle L. Coleman Staff Signature Date
 Staff Name (Print)

Disclosure Statement

3/24/2026 2:33 PM

Shore Drive Area Properties, LLC

Listing of businesses that have a parent-subsidiary or affiliated business entity relationship with Applicant

Entity Name
Washington Square Townhouses, LLC
Bel-Aire LLC
Virginia Beach Fishing Center, LLC
FWM Residential Rental Properties, LLC
2859 VBB, LLC
Elizabeth City Development Company LLC
Elizabeth City Airport Industrial Park, Inc.
LDSM Properties LLC
Mortons Baye LLC
J&W Investors, LLC
Radcliffe Townhouses, LLC
Cepco LLC
COLONY PINES APARTMENTS, LLC
Coastal Investors LLC
Norfolk-Virginia Beach Airport LLC
2648 VBB, LLC
Lynnhaven Shopping Center, LLC (dba Market Square)
Riverwalk LLC
Newtown Convenience Center, LLC
Front Street Investors LLC
MGM Associates
Furberfax, LLC
Air Taco, LLC
103, LLC
Croupier LLC
Air Walker LLC
Bayliner Building, LLC
Little Neck Commercial Property, LLC
McLeskey & Associates, LLC
Lynnhaven Area Properties, LLC
Little Creek Road Properties, LLC
Rudee Heights Properties, LLC
Southside Waterfront Properties LLC
F. Wayne McLeskey, Jr., QTIP Marital Trust
Regency Hilltop Associates, LLP
BA-GB, LLC
Dam Neck Associates, LLC
2540 VBB, LLC
Cepco Management, LLC
Cepco 1, LLC
Meadow Creek Village, LLC
TB & M Residential LLC
Arctic Rentals, LLC
Harbour Point McLeskey, LLC
McLeskey Development, LLC

Next Steps

- Upon receiving a recommendation from Planning Commission, this request will be scheduled for a City Council public hearing. Staff will inform the applicant and/or their representative of the date of the hearing in the upcoming days.
- Following City Council's decision, the applicant will receive a decision letter from Staff.
- Once the conditions of approval are in place and/or completed, the applicant must contact the Zoning Division of the Planning Department to obtain verification that the conditions have been met. Contact the Zoning Division at 757-385-8074.
- If the request requires land disturbance and/or a subdivision of property, please contact the Development Services Center (DSC) to discuss next steps for site plan/plat review. Contact the DSC at 757-385-4621 or the Development Liaison Team at 757-385-5692.
- Please note that further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.
- The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

SHORE DRIVE AREA PROPERTIES, LLC, a Virginia limited liability company

TO (PROFFERED COVENANTS, RESTRICTIONS AND CONDITIONS)

CITY OF VIRGINIA BEACH, a municipal corporation of the Commonwealth of Virginia

THIS AGREEMENT (“Agreement” or “Declaration”) is made and entered into as of the Effective Date (as such date is defined in this Agreement), by and between **SHORE DRIVE AREA PROPERTIES, LLC**, a Virginia limited liability company being referred to herein as (“GRANTOR”), and **THE CITY OF VIRGINIA BEACH**, a municipal corporation of the Commonwealth of Virginia, being referred to herein as (“GRANTEE”).

WITNESSETH:

WHEREAS, GRANTOR is the owner of those certain parcels of partially improved real property located in the City of Virginia Beach, Virginia, all as more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference (collectively, “Property”);

WHEREAS, GRANTOR has initiated a conditional amendment to the Zoning Map of the City of Virginia Beach, Virginia, by petition addressed to GRANTEE so as to change the Zoning Classification of the Property, from PD-H1 Planned Unit Development District to Conditional B-4 (SD) Mixed Use District, and has applied for a conditional use permit to construct multi-family dwellings on the Property;

WHEREAS, it is GRANTEE’s policy to provide only for the orderly development of land for various purposes through zoning and other land development legislation;

WHEREAS, GRANTOR acknowledges that the competing and sometimes incompatible development of various types of uses conflict and that in order to permit differing types of uses on and in the area of the Property and at the same time to recognize the effects of change that will be created by the proposed rezoning, certain reasonable conditions governing the use of the Property for the protection of the community that are not generally applicable to land similarly zoned are needed to resolve the situation to which the proposed rezoning gives rise; and

WHEREAS, GRANTOR has voluntarily proffered, in writing in advance of and prior to the public hearing before GRANTEE, as part of the proposed amendments to the Zoning Map of the City of Virginia Beach, Virginia (“Zoning Map”) with respect to the Property, the following reasonable conditions related to the physical development, operation, and use of the Property to be adopted as a part of said amendment to the Zoning Map relative and applicable to the Property, which have a reasonable relation to the proposed rezonings and the need for which is generated by the proposed rezonings.

GPIN #s: 1489-28-9308-0000; 1489-28-8247-0000 & 1489-28-6485-0000

Prepared by: Lisa M. Murphy, Esquire (VSB #39111)

Willcox & Savage, P.C.

440 Monticello Avenue, Suite 2200

Norfolk, Virginia 23510

NOW, THEREFORE, the GRANTOR, and its successors, assigns, grantees and other successors in title or interest, voluntarily and without any requirement by or exaction from the GRANTEE or its governing body and without any element of compulsion or quid pro quo for zoning, rezoning, site plan, building permit, or subdivision approval, hereby makes the following declaration of covenants and restrictions which shall restrict and govern the physical development, operation, and use of the Property and hereby covenants and agrees that these proffers shall constitute covenants running with the Property, which shall be binding upon the Property and upon all parties and persons claiming under or through the GRANTOR, and its successors, assigns, grantees and other successors in interest or title:

1. The Property shall be developed in substantial conformity with the conceptual site plan entitled “SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN”, prepared by Timmons Group dated May 12, 2026 (“Conceptual Site Plan”), which has been exhibited to the Virginia Beach City Council (“City Council”), is on file with the Virginia Beach Department of Planning & Community Development (“Planning Department”) and is included herein by this reference. Significant changes to the Conceptual Site Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.
2. The architectural design, appearance and exterior building materials of the building to be built on the Property shall be substantially compatible with the architectural design, appearance and exterior building materials depicted on the building renderings entitled “SHORE DRIVE CONDOMINIUM PROJECT REVISED CONCEPTUAL RENDERINGS”, dated June 30, 2026, prepared by Cox, Kliever & Company, P.C. and the building elevation entitled “SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION”, dated June 30, 2026, prepared by Cox, Kliever & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.
3. The Property shall be landscaped in substantial conformity with the conceptual landscape plan entitled “SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN” prepared by Timmons Group dated May 12, 2026 (“Landscape Plan”), which has been exhibited to City Council, is on file with the Planning Department and is included herein by this reference. Significant changes to the Landscape Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

4. All lighting on the Property shall be limited to that necessary for security purposes and to comply with applicable laws and shall be shielded to prevent glare and spillover onto adjacent properties.
5. All onsite signage shall meet the requirements of the City Zoning Ordinance, unless otherwise approved by the Board of Zoning Appeals. The proposed sign package will be submitted to the Zoning Administrator for review and approval prior to the issuance of a sign permit.
6. A designated pet relief area will be provided on the Property for residents.
7. Prior to final site plan approval, GRANTOR will convey to GRANTEE a public access easement for portions of the multi-use trail along Shore Drive that are located outside the existing public right-of-way.
8. The following uses will be prohibited on the Property whether by right or with a conditional use permit: bars and nightclubs; liquor stores and the sale of vape products.
9. The Effective Date of this Agreement shall be the date this Agreement is approved by City Council; provided, however, in the event that this proposed amendment to the Zoning Map with respect to the Property is overturned by subsequent judicial determination, this Agreement shall be null and void.

All references herein to the Conditional B-4 (SD) Mixed Use District and to the requirements and regulations applicable thereto refer to the City Zoning Ordinance and Subdivision Ordinance of the City of Virginia Beach, Virginia, in force as of the date of approval of this Agreement by City Council, which are by this reference incorporated herein.

The above conditions, having been proffered by GRANTOR and allowed and accepted by GRANTEE as part of the amendments to the Zoning Ordinance of the City of Virginia Beach, Virginia, in force as of the date this Agreement is approved by City Council, shall continue in full force and effect until a subsequent amendment changes the zoning of the Property and specifically repeals such conditions. Such conditions shall continue despite a subsequent amendment to the Zoning Ordinance even if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised Zoning Ordinance until specifically repealed. The conditions, however, may be repealed, amended, or varied by written instrument recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia ("Clerk's Office") and executed by the record owner of the Property at the time of recordation of such instrument, provided that said instrument is consented to by the GRANTEE in writing as evidenced by a certified copy of an ordinance or a resolution adopted by the governing body of the GRANTEE, after a public hearing before City Council which was advertised pursuant to the provisions of Section 15.2-2204 of the Code of Virginia, 1950, as amended. Said ordinance or resolution shall be recorded along with said instrument as conclusive evidence of such consent, and if not so recorded, said instrument shall be void.


1. The Zoning Administrator of the City of Virginia Beach, Virginia, shall be vested with all necessary authority, on behalf of the governing body of the City of Virginia Beach, Virginia, to administer and enforce the foregoing conditions and restrictions, including the authority (a) to order, in writing, that any noncompliance with such conditions be remedied, and (b) to bring legal action or suit to insure compliance with such conditions, including mandatory or prohibitory injunction, abatement, damages, or other appropriate action, suit, or proceeding;
2. The failure to meet all conditions and restrictions shall constitute cause to deny the issuance of any of the required building or occupancy permits as may be appropriate;
3. If aggrieved by any decision of the Zoning Administrator, made pursuant to these provisions, GRANTOR shall petition the governing body for the review thereof prior to instituting proceedings in court; and
4. The Zoning Map may show by an appropriate symbol on the map the existence of conditions attaching to the zoning of the Property, and the ordinances and the conditions may be made readily available and accessible for public inspection in the office of the Zoning Administrator and in the Planning Department, and they shall be recorded in the Clerk's Office and indexed in the names of each of the GRANTOR and GRANTEE.

[THIS SPACE INTENTIONALLY LEFT BLANK. SIGNATURES AND SEALS ON FOLLOWING PAGE.]

WITNESS the following signature and seal.

GRANTOR:

SHORE DRIVE AREA PROPERTIES, LLC
a Virginia limited liability company


By:  (SEAL)
Name: William A. Wilcox, II
Title: Manager

COMMONWEALTH/STATE OF Virginia
CITY/COUNTY OF Virginia Beach, to wit:

The foregoing instrument was acknowledged before me this 1st day of April,
2026 by William A. Wilcox, II, as Manager of Shore Drive Area Properties, LLC, a Virginia
limited liability company, on behalf of said company.

[SEAL]




Notary Public
Registration No: 00278393
My Commission Expires: 3/31/2028

[Signature Page to Proffered Covenants, Restrictions and Conditions]

Exhibit A
to
Proffered Covenants, Restrictions and Conditions

Legal Description of the Property

GPIN: 1489-28-9308-0000:

All those certain lots, pieces or parcels of land, together with the improvements thereon and the appurtenances thereunto belonging, lying, situate and being in Bayside Borough, Virginia Beach, Virginia, designated and described as Lot 11 and Lot 12 in Block 42, on a certain plat entitled, "PLAT, SECTION "D" OF OCEAN PARK, PORTION OF THE PROPERTY OWNED BY OCEAN PARK CORPORATION," dated March 20, 1917, made by P.F. Mueller, C.E., and recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia, in Map Book 5, at Page 197; reference to which plat is made for a more particular description of said lots.

LESS, SAVE AND EXCEPT those portions of the aforesaid Lot 11 and Lot 12 subdivided into and made a part of "PARCEL A" as shown on that certain plat entitled "SUBDIVISION OF MARINERS LANDING ON THE LYNNHAVEN SECTION ONE" dated October 1974 made by Marsh and Basgier, Inc., PC recorded in the aforesaid Clerk's Office in Map Book 113, Page 14.

GPIN: 1489-28-8247-0000:

ALL THAT certain lot, piece or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging, lying, situate and being in Bayside Borough, Virginia Beach, Virginia, designated and described as Lot 16, in Block 42, on a certain plat entitled "PLAT, SECTION "D" OF OCEAN PARK, PORTION OF THE PROPERTY OWNED BY OCEAN PARK CORPORATION," dated March 20, 1917, made by P.F. Mueller, C.E., and recorded in the Clerk's Office of the Circuit Court of Virginia Beach, Virginia, in Map Book 5 at page 197; reference to which plat is hereby made for a more particular description of said lot.

LESS, SAVE AND EXCEPT the portion of the aforesaid Lot 16 subdivided into and made a part of "PARCEL A" on that certain plat entitled "SUBDIVISION OF MARINERS LANDING ON THE LYNNHAVEN SECTION ONE" dated October 1974 made by Marsh and Basgier, Inc., PC recorded in the aforesaid Clerk's Office in Map Book 113, Page 14.

GPIN: 1489-28-6485-0000

All those certain lots, pieces or parcels of land known, numbered and designated as Lots 1 through 10, inclusive, and 17 through 24, inclusive, Block 42, as shown on that certain plat entitled "Section D of Ocean Park", duly recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia in Map Book 5 at page 197.

LESS AND EXCEPT that portion of property conveyed to Commonwealth of Virginia by Certificate recorded in Deed Book 564, Page 257 and shown on State Highway Plat 2, pages 222-224.

**Virginia Beach Planning Commission June 10, 2026
City Council Chambers
Formal Hearing, 12:00 P.M.**

**Public Meeting Items #13 & 14 Shore Drive Area Properties, LLC
Recommendation: RECOMMENDED FOR APPROVAL**

Discussion

Clerk: The vote is open. By a recorded vote of eleven to zero, item eleven, City of Virginia Beach, has been recommended for approval. Our next item is items thirteen and fourteen, Shore Drive Area Properties, LLC.

Ms. Murphy: Good afternoon, Chair, Vice Chair, members of the Planning Commission, and staff. For the record, my name is Lisa Murphy. I'm a local zoning attorney, and I'm here today on behalf of the applicant, Shore Drive Area Properties LLC, which is a McCluskey and Associates affiliate.

The subject property before you is 2.2 acres, with a street address of 3853 Shore Drive being the principal property, and then there are a couple of parcels directly to the southeast that you see as sort of a pie shape on the aerial. As Marchelle indicated in the informal session, the property is zoned PD-H1, which is Planned Unit Development District, and it is in the Shore Drive Corridor Overlay District. It's currently developed as a fenced bulk storage yard, principally storing boats, boat trailers, that type of thing. It's compacted gravel with a fence around it. Not a whole lot of green space and really no landscaping to speak of.

The applications are two. In this case, it's a request for a conditional rezoning from PD-H1 to B-4 SD, which is that mixed-use Shore Drive corridor overlay, and then being in the Shore Drive Corridor overlay district, we need a conditional use permit for the multifamily component of it.

How did we get here? When I started preparing for today, I realized that the last time we were here talking about this property was just about five years ago. On July 14, 2021, we were before the Planning Commission. That application was far different than this application. It involved additional properties across Clipper Bay and Ocean Tides, was six or so acres, and it was for 197 apartment units. So much bigger, much more dense.

Since that time, and specifically in the last two to three years, the applicants' representatives have been going along Shore Drive, meeting with community leaders, business leaders, civic league presidents, Bayfront Advisory Commission members. As it says in your staff report, over thirty meetings have occurred over the last couple of years. I tell you that so that you understand the level of outreach the applicant has done, but also the fact that after the last application, they went to the community to elicit that feedback and to find out what type of project the community thought would be compatible from a use and a scale perspective. That's how we got to the application before you today.

Two big comments: one, they heard we want this to be a for-sale, owner-occupied project, and not a for-rent project. The feeling was that an owner-occupied project would have a greater sense of community and stability, and that that would be an asset for the surrounding neighborhoods.

Through the course of those conversations, they reduced the number from sixty-two to the fifty-two units that you have in front of you today.

The current project, as I mentioned, is 52 for-sale units, that results in a density of just under 24 units per acre. If you look at the Shore Drive corridor overlay, that would be the recommended density for a mixed-use project. The number of bedrooms is two two-bedroom units, forty-two three-bedroom units, and eight four-bedroom units. Each of these will have a very large balcony, one-story balcony, ten feet by twenty feet, a large outdoor living space. There'll be green space in the center available as amenity for all of the owners, and then the property goes from the building itself, five stories down to three stories where it's adjacent to the residential.

This did go before the Bayfront Advisory Commission. There were several recommendations they made, and we've addressed virtually all of them. Two of them made it into the proffers: the pet relief area for the owners, and a proffer that was added that excluded certain uses from that 2,000 square feet of retail space. That's in the front corner right there at the intersection of Shore Drive and Marlin Bay. The other thing that we did, which took a little bit longer, was to address that horizontal articulation and the height at the corner. We've peeled back that direct corner piece. It's actually ten feet shorter than it was. It'll become a big patio unit for that particular condominium unit. Also, really does help to reduce the scale.

As I mentioned, the corner unit will be a commercial unit. We're envisioning a local market with complementary retail space. It'll have some outdoor space, again trying to engage pedestrians and the surrounding community. The building's been oriented to face the intersection, and there'll be a piece of artwork at the corner that provides a focal point for this very important gateway into the resort area. All the surface parking is located behind the building facade. 126 parking spaces are provided, which is actually in excess of what would be required.

I wanted to touch on stormwater. You should have in your packet a letter from Lynnhaven River Now. The short answer is there's no stormwater management today. It's a compacted gravel yard. The water that comes across in a storm sheet flows mostly into Shore Drive. There's no stormwater management, no pollution control. As Karen Forger says in her letter, this redevelopment project is really going to help the environmentally sensitive area by keeping the pollutants out of the creek, but also helping to manage that stormwater going into Shore Drive. So it significantly improves the current conditions. Stormwater will be managed underground, which is why you don't see the ponds and the facilities.

Staff is recommending approval. Your Bayfront Advisory Commission is recommending approval. And we respectfully request that you recommend approval to City Council as well. I'm happy to answer any questions.

Mr. Coston: Well, we'll have you back for questions after we hear from speakers. I believe we have some speakers on this one. Madam Clerk.

Clerk: Yes, our first speaker is Danny Murphy, followed by Dave Redman.

Mr. Murphy: Good afternoon, Chairman Coston, Commissioners, staff. My name is Danny Murphy. I am the president of the Ocean Park Civic League. I am here to formally state that the civic league has chosen not to take an official position for or against the Shore Drive Area Condo

Project application. Over the past five years, this site and adjacent parcels have been the focus of redevelopment plans. The civic league and community have strongly opposed those previous plans. We believe it is important to prioritize the residents' voices by stepping back and allowing them to present their individual perspectives directly to you.

According to the bylaws of the civic league, our mandate is to inform residents of issues of neighborhood importance, to provide forum for discussion and concerns, and to promote participation in public affairs such as this hearing. We operate for the mutual benefit and interest of the Ocean Park community.

I would like to thank the City of Virginia Beach Planning Department, particularly Deputy Director Bookholt and staff planner Marchelle Coleman, for dedicating an evening to come speak to our members about land use and redevelopment. The Q&A portion of that was exceptional, and I applaud them. They represent the city very well. I would also like to thank the developer, the McCluskey Organization, for addressing past concerns, working to mitigate them where possible, and continuing to seek input throughout the process.

Redevelopment is inevitable and necessary, and welcome. As a civic league observes the future of Shore Drive, we respectfully ask that you evaluate this application within the context of the long-term vision of Virginia Beach as adopted by the Shore Drive Corridor Plans. We emphasize that this project, if ultimately approved, must not set a precedent for other nearby redevelopment proposals. Several of which may arise. All of the projects must meet the standards of the Comprehensive Plan, Shore Drive Overlay District, Shore Drive Corridor Plans, and the design guidelines.

There are concerns, I think many of us share, regardless of the position on the project. I ask that these concerns accompany your recommendation to City Council, which will ultimately make the final decision. Scale, density and massing are significant documented concerns. To reach the nearly 24 units per acre, the applicant is requesting variances to reduce the 30-foot setback on Clipper Bay to 15 feet and lower the step down adjacent to the existing townhomes. Ask the Commission to consider these facts carefully before granting approval. Neighborhood character and corridor alignment: the key consideration is whether the project reflects Ocean Park's historic coastal community and aligns with the adopted city corridor plan. Parking and traffic: the trade-off between building height to have ground-level under-building parking is significant. Neighbors are concerned that residents and guests will still spill over into Marlin Bay Street for parking. Shore Drive already exceeds its capacity, and the Shore Drive Improvement Plan Phase Four project is not scheduled to even begin until 2032.

Stormwater management and the Lynnhaven Watershed: any new development must demonstrate that it will not increase runoff or drainage issues, nor hinder the possible need for the West Shore Drive Phase Four stormwater pump station. Pleasure House Point area: this adjacent property is the crown jewel of the city. The new 52 units will likely increase the use of this facility, and we just want to make sure that there are safeguards and protections for the habitat and trails.

We respectfully request, regardless of your recommendation, that these concerns are included in the record and forwarded to council. Thank you for your time.

Mr. Coston: Thank you, sir.

Clerk: Our next speaker is Dave Redman, followed by Terry Browning.

Mr. Redman: Good afternoon, Mr. Chairman, members of the commission. For the record, I'm Dave Redman. I've lived in District Nine for 44 years. In fact, I served on this body representing District Nine for 15 years, and then Mr. Coston took the baton. It's my home, so I travel this portion of Shore Drive virtually every day. And it's hard for me to express how strongly I support this superb renewal of an underutilized eyesore of a property.

I hope everyone interested has read the staff report, because the staff report very convincingly explains how completely this project fits within the Shore Drive Corridor guidelines, comports with the comprehensive plan, and incorporates genuinely exceptional planning principles and design guidelines. I'm a sucker for beautification, a sucker for landscaping. This project beautifies not just this property, but the entire bayfront. And I challenge anyone to show me a residential community on Shore Drive with better landscaping than what's proposed.

This project incorporates modern stormwater management on this site for the first time ever. Quit making excuses of flooding if you turn your nose up at stormwater improvements, particularly when the private sector initiates and pays for them. That's what we should be doing. With articulate architecture and high-end building materials, this project provides a more welcoming presence to the Pleasure House Point Natural Area. At fewer than twenty-four units per acre, this project is far less dense than many existing, older and less attractive properties in very close proximity. And only to Lilliputians is five stories a tall building in the Shore Drive corridor. There are far, far taller buildings within eyesight of this project.

This property, through no fault of the applicants, has been the skunk at the Shore Drive Garden Party for far too long, and now you can fix that. Look at the rendering of this beautiful bayfront community that's proposed compared to what's there today. It is a no-brainer. I urge you to support this application. Thank you for your time, and I will be happy to answer any questions.

Clerk: Our next speaker is Terry Browning, followed by Kim Mayo.

Mr. Browning: My name is Terry Browning. I'm the adjacent property owner to the project. I own 3829 Shore Drive. We're here in support of this project today because I feel it'll bring a nice area to the corner of Marlin Bay and Shore Drive. They've done an outstanding job. I was involved with them in the original project five years ago. The reason for my involvement? At that time, I had two brothers that were owners in the property with me, that were left to us from the demise of my parents. When we bought this property, there was nothing around us. There was no Marlin Bay. There were no condos. There were sand dunes and live oaks. Time marches on. Things need to be improved.

The main reason for me coming here today is I've heard a lot of conversation about my affiliation with them when we were trying to do the Marlin Bay project. I now am the owner of that property, and my son is now running Browning's Marine, which we've been in business since 1955. It cost me greatly to acquire this property from my brothers at a time in life when I'm 72 years old and I'm working seven days a week. But our intention is to take our property and move it forward.

Now that I can spend money on it and upgrade our properties and make it a lot better than it is now.

I just wanted to lay their fears aside that I'm not waiting for this to get passed and then I'm going to do something on my property. That is not going to happen. As long as my son wants to be in the boat business, we're going to be in the boat business. I am going to be impacted by it. And it's probably that some things are not going to be good because anytime you get residents next to a business, you have issues. But I do feel strongly that they're going to do a great job to improve this piece of property and make a nice community.

As a side note, my relatives developed Ocean Park in 1912. Some of the paper streets, which one of them has been saddle property, were still in the Newtons' name on the plats. So, we've been involved in Ocean Park for a very long time. All my children graduated from the local schools, Cox, John B. Dye, and I now have five grandchildren in school there. So, I'm there for the community. I want what's good for the community, and I support this project.

Mr. Coston: Thank you, sir. Your time has expired. Thank you.

Mr. Camp: Mr. Browning, for being here today. Could you please tell us, does your business use the paper street Clipper Bay for access into your yard?

Mr. Browning: Yes, sir. We do.

Mr. Camp: Thank you very much.

Clerk: Our next speaker is Kim Mayo, followed by Wendy Crutchfield.

Ms. Mayo: Good afternoon. I'm speaking in opposition. My name is Kim Mayo. I'm a District Nine civic leader, and we live a few miles away from this site. The landowner, by right, can put in some housing and develop there within existing zoning rules. No upzones. Unfortunately for taxpayers and all impacted, Councilman Schulman does support this upzone. He's also taken campaign contributions from this developer.

The property we're discussing is adjacent to ecologically sensitive Pleasure House Point, our public land. Last March, Councilman Schulman put forth a CIP to bulldoze a maritime forest at a cost of approximately \$12 million to taxpayers. There is now a federal lawsuit to hold all accountable and protect the rest of the park.

Furthermore, every zoning decision affects every resident. When the city makes a land use or zoning decision, it's easy to think it only matters to the people who live nearby. It doesn't. Every zoning approval sets a precedent. The next applicant points to the last approval and says, "Well, you already said yes to this one." One decision at a time, the character of Virginia Beach shifts.

Lastly, there's a local YIMBY organization who has members advocating for this upzone. I have experience with YIMBY groups. More housing does not mean lower rents. YIMBYs have a history of online bullying and clashing with housing justice advocates in displacing working class and people of color. Finally, as we all know, our City Council takes huge amounts of campaign donations from the real estate industry. YIMBYism gives them political cover to deregulate land

use protections and build more luxury housing, such as this, and generate huge profits at our expense. Thanks so much for your time.

Clerk: Our next speaker is Wendy Crutchfield, followed by John Moss.

Ms. Crutchfield: Good afternoon, commissioners, Chair Coston. My name is Wendy Crutchfield, and I am speaking as a property owner adjacent to this proposed development. Today, I would like to ask a simple question: why did Virginia Beach spend years creating the Shore Drive Corridor Design Guidelines if we are willing to ignore them when they matter most?

The property before you sits literally on the boundary between the green zone and the mixed zone at Marlin Bay Drive. That was not an accident. It was a result of extensive public planning, professional study, and taxpayer investment. According to these guidelines, the green zone's east boundary is Marlin Bay Drive, and is characterized by mature live oaks and pine forests of Pleasure House Point. Marlin Bay Drive then transitions to the mixed zone. The plan states that the homes, some dating back to the early 20th century, provide a defining design image for the area and the corridor, and recommends the Ocean Park neighborhood for residential land use at low and medium densities, which reflects the character of our coastal community.

This property fails to fill the bill. The proposed density increases what is currently allowed by six times. The building rises five stories in a location specifically intended to transition away from the environmental protections of the green zone. If a five-story building at this density belongs in a transition area, then what exactly is a transition area? If a six-fold increase in density is compatible in the mixed zone, then what does low to medium density mean?

This decision is about much more than one parcel. It's about whether our adopted plans have meaning. It's about whether residents can trust the rules they helped create will actually guide future development. The Shore Drive Corridor is one of Virginia Beach's greatest assets because it is different. It is not the oceanfront. It is not Town Center. It is a unique coastal community shaped by a deep and rich history, waterways, maritime forests, wildlife habitat, and neighborhoods that have evolved alongside them for generations. The purpose of planning is not simply to determine what can be built. The purpose of planning is to determine what should be built. Today, I respectfully ask that you uphold the vision established in the Comprehensive Plan and the Shore Drive Design Guidelines, protect the integrity of the green zone and mixed zone transition, and deny this rezoning request unless it is substantially reduced in density and intensity. Thank you for your time.

Clerk: Our next speaker is John Moss, followed by Martha Tharald.

Mr. Moss: Good afternoon, everyone. Chair and members of the Planning Commission, my name is John D. Moss. The case before you today seeks an upzoning, a conditional use, along with a variance. The applicant has no legal entitlement to receive a favorable recommendation, and the benefit of the doubt goes to a denial. In my judgment, the proffers offered by the applicant are overwhelmingly insufficient to overcome the points made by the community opposition. The community critiques, with supporting empirical evidence submitted by various individuals and civic leagues, makes an undisputable case for denial.

Why is that? A comparative analysis of the applicant's submission, the city staff analysis, the submitted public written comments, and the oral testimony today yield only one answer: a recommendation for denial. I see no need to revisit the evidentiary record. You have the opportunity today not to repeat the Windsong Apartments upzoning decision on Pleasure House Road. All the concerns raised in opposition to the Windsong Apartments, 36 units to the acre by 16 civic leagues, were discounted by the then city council majority. Those concerns cast aside in approving the Windsong upzoning have largely come to pass, a lesson you should heed.

The Marlin Bay application, like a data center, creates major profits for the applicant by imposing tangible and intangible cost on the immediate neighborhoods, the use of Shore Drive, and Virginia Beach taxpayers at large. I believe you have a duty to do no harm in making your recommendations. The speakers today, by their evidentiary assessments, have proven the Marlin Bay application items before you, if approved, will do harm. May God grant you the wisdom, the courage, the compassion, and humility to respond favorably to the community's petition to recommend denial of the Marlin Bay request in each of its agenda items. Thank you very much.

Mr. Coston: Thank you, sir.

Clerk: Our next speaker is Martha Tharald, followed by Mary Riesmeyer.

Ms. Tharald: Good afternoon. My name is Martha Tharald, and I respectfully ask that you recommend denial of this rezoning application. This request is not simply about one property; it is about flooding, public trust, environmental stewardship, and the precedent we set for future development along this corridor.

In September 2021, Virginia Beach City Council unanimously adopted a resolution urging citizens to approve the Stormwater Bond referendum. The voters kept their end of the bargain and approved it. One of the promises made to the public was clear: council committed to amending the comprehensive plan to recommend denial of projects that create a net increase in stormwater discharge demand beyond the capacity of the drainage system to handle it. That commitment was never honored. The language was omitted from the recently adopted comprehensive plan, despite repeated opportunities to include it.

Now we are being asked to approve a rezoning that would dramatically increase development intensity on this 2.2-acre site. The current zoning allows development generally consistent with the surrounding neighborhood. The proposed zoning would permit substantially greater density, taller buildings, greater lot coverage, and commercial uses. The site is located across from publicly owned natural land, recognized as environmentally sensitive and fragile, and along an already heavily traveled coastal corridor where residents regularly experience congestion and flooding concerns.

Most importantly, we still do not have a completed stormwater plan. We have been told that flooding may be significant enough that the city could ultimately need to acquire a portion of this very property for a future pump station. Think about that for a moment. If the city may need to purchase part of this property because flooding is already a concern, why are we being asked to approve a far more intensive use of the property before those flooding issues are resolved? How

can anyone determine that increasing lot coverage from approximately 40 percent to 75 percent will not worsen stormwater conditions when the drainage solution itself has not yet been finalized?

Approving this application would send a message that major increases in density can be moved forward before more critical infrastructure questions are answered. It would establish a precedent that other property owners along the corridor will undoubtedly cite in future zoning requests. The Planning Commission's responsibility is not merely to accommodate development; it is to protect the public interest, safeguard our natural resources, and ensure that growth occurs responsibly. The voters of Virginia Beach were promised that stormwater capacity would be a determining factor in development decisions. Before this property is upzoned, the public deserves proof that promise can be kept. For these reasons, I respectfully ask you to recommend denial of this application. Thank you.

Clerk: Our next speaker is Mary Riesmeyer, followed by Leslie Colbertson.

Ms. Riesmeyer: Good afternoon. My name is Mary Riesmeyer, and I'm here on behalf of the Baylake Pines Civic League. So, I should have 10 minutes, not three. The Baylake Pines Civic League represents 336 single-family homes adjacent to the Ocean Park neighborhood, and we appreciate the opportunity to be here today to comment on this rezoning application.

Representatives of Shore Drive Area Properties, LLC attended our March membership meeting and presented the proposal to our residents. We support the redevelopment of this eyesore, but we recognize the value of thoughtful reinvestment in the Shore Drive corridor. Our opposition is not to redevelopment itself, but to the unprecedented scale, density, and intensity of the project being proposed, especially considering key missing data, including traffic impact study on Marlin Bay and stormwater impacts on this flood-prone area.

We respectfully urge denial of the rezoning request because it conflicts with adopted policy, exceeds the intended scale of development for this location, and establishes a precedent that could permanently alter the character of the Bayfront Corridor. I want to repeat: we are not opposed to the development of this parcel of land. We are opposed to the proposed development for the following reasons, any one of which alone is the basis for denial.

First, inconsistency with the comprehensive plan. The staff report acknowledges that, per the 2026 Comp Plan, established neighborhood character should be preserved and protected, and future residential development should strive for the lowest reasonable density compatible with the existing neighborhood. 52 condos on 2.2 acres, which equals a density of 23.63 dwelling units per acre, is not consistent with the current neighborhood. There is absolutely nothing in the record that shows the applicant has demonstrated this is the lowest reasonable density.

Second, density and scale beyond the intended development pattern. The current PD-H1 zoning allows for 4.25 dwelling units per acre. The proposed is nearly six times that amount. The proposed project also includes a five-story building. Current zoning is 35 feet. The proposal exceeds the current zoning allowance by 77%.

Third, failure of the transitional design concept. Shore Drive Corridor Design Guidelines established that a deliberate transition between zones. Marlin Bay is an important boundary. The

proposed development, by its size and density, completely obliterates a transition area. Going from five stories down to three stories is not a transition area sufficient for this purpose.

Fourth, traffic, transportation, parking, and pedestrian safety. The city's analysis acknowledges that Shore Drive is already operating above its intended capacity. Shore Drive currently carries approximately 40,500 average daily trips. It has a roadway capacity for 36,900. The proposal is expected to add approximately 460 ADTs. It is unreasonable to approve a project that would add more ADT to a corridor that the city itself acknowledges is already carrying approximately ten percent more than it was ever intended to. The absence of current traffic counts on Marlin Bay Drive and lack of planned roadway improvements are also problematic.

Fifth, unresolved stormwater and public infrastructure issues. Per the staff report, preliminary engineering for Shore Drive Corridor Improvements Phase Four identifies a potential stormwater pump station on the northern portion of the property. No project on this land should be approved until the city determines if it is needed for future public drainage infrastructure. No preliminary stormwater analysis was required prior to the Planning Commission review. The applicant is to evaluate underground stormwater management systems later during the site plan stage. This is putting the cart before the horse.

Sixth, Bayfront Advisory Committee findings. The committee's support for this application was not unconditional, nor was it unanimous. There were several project modifications recommended. I recommend that the recommendations from the BAC be implemented and adapted into this program, just as they were for item 10, regarding building height, perceived scale and massing, evaluating permeable materials, restricting incompatible commercial uses, and establishing operational standards for the commercial component.

Seventh, corridor-defining precedent. As others have mentioned, this project cannot and should not be treated in a vacuum. Approval of this project will open the door and forever influence future development of the Shore Drive corridor west of the Lesner Bridge. It will dramatically and negatively change the character of this particular bayfront corridor.

In conclusion, this decision is larger than a single development project. At a minimum, we respectfully request the Planning Commission to defer this application until the unresolved transportation, stormwater, and public infrastructure issues identified in the staff report have been fully analyzed and presented to the public. Should the application proceed, we respectfully request the commission deny the rezoning as proposed unless substantial reductions in density, height, and overall intensity bring the project into alignment with the Comprehensive Plan, the Shore Drive Corridor Design Guidelines, and the surrounding neighborhood context. Thank you.

Mr. Coston: Commissioner Hippen.

Ms. Hippen: I have some questions for you.

Ms. Riesmeyer: Okay.

Ms. Hippen: So you said that your civic league supports development, just not this one. Am I correct?

Ms. Riesmeyer: Yes.

Ms. Hippen: Okay. So let me see if I've got correct what you said, because you said you wanted some conditions added, and I'm trying to make sure I understood which conditions you were talking about. You were talking about stormwater, correct? And you were talking about traffic, correct? You were talking about density.

Ms. Riesmeyer: Correct.

Ms. Hippen: Okay. Were you in on the discussions or the presentations from the prior application for this area?

Ms. Riesmeyer: I was aware of the bigger complex, more acres, more units, apartments versus owned condos. Yes, I was aware.

Ms. Hippen: Okay, so did your civic league disapprove of that as well?

Ms. Riesmeyer: Correct, we did.

Ms. Hippen: Okay, and that was because it was rentals, because it was over density, the whole shebang?

Ms. Riesmeyer: Too big, too much.

Ms. Hippen: So, what is not too big?

Ms. Riesmeyer: What's consistent with current would be ten to twelve units.

Ms. Hippen: So, your civic league is looking for single-family homes because that is what is predominant in this area?

Ms. Riesmeyer: Townhomes are on that side. The area immediately behind are townhomes. But what would be consistent with current zoning would be approximately ten to twelve.

Ms. Hippen: Okay. So, your objection is due to the current zoning. Because they are asking for a zoning change, which is why I'm making sure I understand.

Ms. Riesmeyer: We do not want. We do not support a zoning change.

Ms. Hippen: Roger that. Okay. Thank you.

Ms. Riesmeyer: Okay.

Clerk: Our next speaker is Leslie Colbertson, followed by our final speaker, Rhona Marsh.

Ms. Colbertson: My name is Leslie Colbertson. I'm a lifelong resident of Virginia Beach and a property owner in Baylake Pines, as well as Chesapeake Beach. I'm asking that you oppose the proposed zoning increase for the Marlin Bay condo lot from planned residential development to business/residential high density. This proposed development will detrimentally alter the character

of Shore Drive and any sense of special place. Shore Drive is a local corridor for residents, and is not the commercial tourist location like the oceanfront. Shore Drive does not have the capacity at this time to support current local traffic on this corridor, or to meet safety concerns for pedestrians or current beach visitors to the bay. Virginia Beach has historically done a poor job of protecting its history and any sense of community. In regards to this revised proposal, less bad doesn't make it a good proposal. Please oppose the zoning request. Thank you.

Clerk: Our final speaker is Rhona Marsh via WebEx.

Ms. Marsh: Thank you. My name is Rhona Marsh, and I am in favor of this being built out using the current zoning that it currently has, without rezoning. I believe fifty-two condos with a hundred and sixty-two bedrooms will result in three hundred and twenty-four allowed residents. I say that because HUD requires that you have two people per bedroom permitted. You cannot discriminate and tell people they can't have two people per bedroom. So having a hundred and sixty-two bedrooms means you're going to have three hundred and twenty-four allowed residents. This is something that no one ever wants to talk about because they don't want to talk about the density. But this is the Fair Housing Act.

I feel the rendering looks like a hospital, and that there should be valet parking, because there's not enough parking spaces. With 104 parking spaces for 324 allowed residents. The area has had traditionally heavy stormwater flooding, and I have sent you photos by email of the flooding most recently in 2025. All this flooding, tidal flooding, makes it dangerous when you have so many people on a roadway that is not designed to handle already more traffic. If you keep doing this and you don't have enough parking, you're going to have people who are going to be parking illegally. We don't need double parking or roadside parking. Where are the delivery trucks going to park? The third precinct is going to have to handle the illegal parking disputes.

There's more development right around the corner by this same developer who wants to build fourteen units on Marlin Bay Drive extension and Winston Place. So this is going to be cumulative, and you need to deny this and let the developer build as it's already zoned. Building is not the issue; it's just overbuilding, and density of 324 people is too much. Thank you very much.

Mr. Coston: Thank you, ma'am. And that was our last speaker.

Clerk: That was our last speaker.

Mr. Coston: Would the applicant like to come back for rebuttal?

Ms. Murphy: Thank you for the opportunity. I'll start with stormwater. While a stormwater analysis isn't required in the Chesapeake Bay watershed as part of the rezoning, as part of the site development and site plan approval process, the applicant absolutely has to go through a full-blown stormwater design and stormwater management plan. At this point, based on the prior stormwater analysis that was done, they know that to meet the current regulations, which the property does not meet right now, they will have to build underground storage chambers. So, this will absolutely improve the flooding situation on Shore Drive, because you'll take a gravel lot with no stormwater management and develop it to current, very detailed and very robust city standards. It will be detained on site. It will help not only with flooding, but with pollution.

The other thing that was added that addresses stormwater and the environment is the applicant worked with Lynnhaven River Now to identify plant species to incorporate as part of the landscaping, so that it does benefit the environment and fits more with the Pleasure House Point development.

The pump station came up. We were told that the pump station, which has nothing to do with this particular project and would not and could not serve this project, would be at the end of Clipper Bay Drive in that public street. There's no final determination.

As your staff report indicates, the additional trips per day for this particular development would be modest overall. This section of Shore Drive is in a CIP. It's the Phase Four CIP where they've got a design that would expand it to six lanes on either side with a bike path, with a sidewalk, which, incidentally, would be in addition to the 10-foot multi-use trail that we're showing. We could go to 11 feet if that was the body's will, but it will be next to a city sidewalk. So, ours is a multi-use trail that is not in the right of way. But in the right of way, next to it would be a city sidewalk. Just wanted to address that. You have a professional staff that analyzes every application. You have, in this case, also a Bayfront Advisory Commission that reviews the applications very specifically to make sure that your comprehensive plan and that the Shore Drive design guidelines and the Shore Drive corridor guidelines are all being met. As your staff report indicates, this well-planned development advances key concepts of the comprehensive plan and objectives of the Shore Drive corridor, including redevelopment of underutilized properties and the promotion of neighborhood enhancement. It avoids the overcommercialisation of the corridor, and, as the staff report indicates, protects and preserves the established neighborhoods.

The Bayfront Advisory Commission recommended approval. There were a number of items that were addressed in their recommendation. I think we've addressed all of those, but for one, and that was a suggestion that we incorporate permeable pavers throughout the project. Because this is an owned condominium structure, there will be an HOA, a condo owners association that will have to take care of the maintenance and the use. We're looking into the permeable pavers, but it's something that would increase maintenance costs for the owners association. And we have, as I said, incorporated significant landscaping with those native species.

The question about the use of the corner market—I think one of the speakers brought up—we have specifically added a proffer to proffer out noxious uses. Nobody wants to see it as a vape shop or a tattoo parlor, or some of those other commercial uses that frankly wouldn't be in keeping with the local neighborhood market, which is what the applicants intend. The applicants will be the owners of that unit, which will be a commercial unit. So, they will control that, as well as the owners' association. I'm happy to answer any other questions. But again, your staff, your professional staff, is recommending approval. The Bayfront Advisory Commission has recommended approval, and we have addressed nearly all of their recommendations and suggestions as far as ways to further enhance the project and the application.

Mr. Coston: Commissioner Hippen.

Ms. Hippen: Hi there. Okay, so I have a few questions for you. So, to let you know, I live over near Magnolia, on Magnolia Chase, Infinity and the Cascades, and all of the rest of the homes around there are single family homes. Okay, so I live across town from this. So, my questions.

First of all, let me give you some stats here. We had letters received. We had fifty-seven negatives, three neutrals, two positives. Okay, so that gives us sixty-two letters. We had nine speakers, of which two were positive, six were negative, and one was neutral. We've got one civic league that says we don't have a position, but we've got a civic league and Lynnhaven River Now saying yes, this is a good thing. Okay, so first question is proximity to Pleasure House Point. That is where Lynnhaven River Now's letter came in. Am I correct?

Ms. Murphy: Pleasure House Point. Yes.

Ms. Hippen: Okay, I just want to make sure. Talk about the upzone and the fact that the difference in the density from whence you came. One of the things you stated when you talked was that this started in 2021. Where you are now, and from whence you came, and how, if approved, this would fit in, to rebut that. And I have more after that, but you did answer one.

Ms. Murphy: Do you want me to start there? I would say, you know, by comparison to a project like West Neck or something like that, where you had a room full of people, the number of speakers and the letters really is representative of the fact that you have thousands and thousands of people who live in this corridor. And through my client's outreach over the last couple of years, they really have been able to work through a lot of the issues that have come up. I noticed several of the speakers are from Baylake Pines, which is on the other side of Shore Drive, and they have historically had concerns about people on their beach or people in their park. But if you go to the website for Pleasure House Point, it's a city park open to all residents of the city, and it specifically says parking is available along Marlin Bay Drive. So, these amenities are amenities, not just for the residents in direct proximity, but they are amenities for all citizens. I go to Pleasure House Point. I live close, but not in Ocean Park. So, I think it's difficult to say that this is something that's impacting them just on the basis of having more people come to the park or more people come to the beach.

Five years ago, as you mentioned, we started out with 227 units. That was reduced over time to 197, to get to just under 36 units per acre. That was more dense. You've had some of the speakers say that was big, it was more dense, and really, my clients have worked very hard to come up with something that's less dense, but that commercially makes sense, and from an economic standpoint, makes sense. So, they have addressed making sure this is less dense. The density that would be allowed, and we talked about this a little bit. It's PD-H1, right? PD-H1 implies that at one point there was a master plan for Ocean Park, which there was, and there was a mix of densities throughout Ocean Park, and there are sections of Ocean Park that were intended to be commercial. A lot of the frontage on Shore Drive was intended to be commercial. We don't have, nor can we find, that master plan. So, we don't know what the overall plan for this was. But the current density, which under the PD-H1 for this size property, would be 4.25 units to the acre. So, you're talking ten-ish units. And that's where that number comes up. So we feel that our rezoning request is in keeping with the Shore Drive Corridor guidelines, which, in this section, call for mixed use. So, you've got the mix of a neighborhood commercial that serves the neighborhood, but you also have some additional density.

The way the building is designed, it's five stories with a peel back at the corner, but then it steps down to the three stories as it gets closer to the residential behind it. There was a question that came up about the deviation. So, the building itself, that section of the building is only 33 feet.

But the stairwell enclosures that you can't see on this one, there's another view that shows the stairwell enclosures are just under 43 feet, so that's the deviation. It's for the stairwell enclosures.

Ms. Hippen: Okay, so it's not the entire building.

Ms. Murphy: Not the building. The building at that section is only 33 feet.

Ms. Hippen: Okay. Tell me about Clipper Bay. So, on Clipper Bay, there's also a setback deviation.

Ms. Murphy: Yeah. So, the deviation there. So, there's a 30-foot setback from the right of way, which the building meets at 30-foot setback. Those large patios, or the large balconies that we talked about—they extend into Clipper Bay. Not all of them, but as you see, there are sections that are extending. Then that's the request for the deviation there.

Ms. Hippen: Got it. I see it on mine. Okay. Let me make sure I have all my questions here. I'm going to ask some of the planning staff here to clarify for me the comp plan. I heard some folks say that this was not in line with the comp plan. Can you help me, please?

Ms. Warren: So, I would say it is. Now, we're dealing with two things. We're dealing with the former comprehensive plan of 2016, and now the newly adopted. So, because this application was submitted prior to the adoption of the 2040 Comprehensive plan, we are looking at the 2016. And Hank, can I ask you to come up and just clarify for us where this meets the goals of the 2016 Comprehensive plan?

Ms. Hippen: See, I saw you sitting over there.

Mr. Morrison: Good afternoon, Hank Morrison, Comprehensive Planning Administrator. So, this is in the 2016 plan. This is in the Shore Drive Suburban Focus area, which talks about mixed uses along Shore Drive, and also compatibility with the neighborhood. So, we talk about within the Shore Drive design guidelines as well. Their folks did bring up the green zone versus the mixed zone. Marlin Bay is that borderline. But the mixed zone does call for things like mixed uses, which this does provide.

Ms. Hippen: So, it's in the mixed zone portion. Is that what you're telling me?

Mr. Morrison: Yes, this property is fully in the mixed zone, but it is right on the border. That is correct, but it is in the mixed zone.

Ms. Hippen: Thank you.

Mr. Morrison: Sure.

Ms. Hippen: That's all. Commissioner Cromwell.

Mr. Cromwell: How does the B-4 overlay? That's something new, correct? In 2026.

Mr. Morrison: So, B-4 is the zoning, and there's always been a Shore Drive overlay. That's what the B-4 SD stands for. So that's been in existence for I don't know when it was adopted, but it predates the new comp plan.

Mr. Cromwell: Okay.

Mr. Coston: Commissioner Camp.

Mr. Camp: My question is not for Mr. Morrison, but I have questions if everyone else is done with him.

Mr. Coston: Yeah, you go ahead and go to your question.

Mr. Camp: Nobody else has a light on. All right, Mr. Hanson. For the record, would you please state your name and title?

Mr. Hanson: Yes, L.J. Hanson. I'm the director of public works for the city of Virginia Beach.

Mr. Camp: Thank you again for making yourself available this afternoon to help us out. I have a couple of questions for you. One of the questions that was asked at the site visit of the planning commission last Thursday was with regard to Marlin Bay Drive itself. It is scheduled for milling and repaving, and a question was raised about the on-street parking, the possibility of bike lanes, and, of course, vehicular traffic. Are you able to tell us whether the current configuration on that pavement will be restored, whether there'll be any changes after it's milled and repaved?

Mr. Hanson: So, following your inquiry this morning, I did a little checking. It is scheduled to be milled and overlaid this summer season. It will be restriped at the conclusion. It'll look a little bit different, but function essentially the same. Our intent is to stripe a full 11-foot lane width for the travel lane, and then we'll stripe out the parking area so that there's an area for cars. There's an area between those two areas. It is not quite wide enough to make a designated bicycle lane, but as this is a 25 mile an hour zone, we don't typically create bike lanes in a 25 mile an hour zone. So, I think that goes to the heart of your question. Pertinent to this rezoning, there is on-street parking, though.

Mr. Camp: Thank you for clarifying that. Appreciate it. Moving on to other public works priorities, Shore Drive Phase Four has been mentioned, as well as what I'll term matters related to the Western Lynnhaven drainage basin plan. That is the stormwater mitigation plan for this part of the city. It is my understanding that a pump station, at least at this point in the planning, has been identified as a need that would serve both of those functions. Is that generally correct?

Mr. Hanson: That is generally correct. There have been two ongoing assessments, as you just identified. One is a preliminary engineering report, which I'll come back to in just a moment for the Shore Drive Phase Four project, and the other is the stormwater master plan that governs this area. Both of those projects have identified the need for a pump station in this general vicinity. The preliminary engineering report, this is not a design level document. This is a document that we do first to make sure that we have an understanding of what all the constraints are on the project. There are some recommendations that are in that preliminary engineering report that identify this as a potential location, but it is not set in stone. We have not created any design documents

whatsoever that identify this space as being necessary or needed, and we certainly have not advanced the project to a place where, as I believe the council gave earlier, that it would be relevant to this rezoning at this point.

Mr. Camp: Well, I'd like to probe just a little more deeply there. I think it's fair to say that if a pump station is needed, it physically has to go somewhere. I have great faith in our engineers, and I know that they will solve to the best of their abilities almost any problem that they've been given, and they've sure been given some complex ones in this area. But I am concerned about making that job harder, more expensive, more time-consuming, or other things that impact the public interests. I'm also concerned about other private interests. It's one thing to say that needs to happen, just don't do it on my land. Well, it's going to happen on somebody's land, and the applicant has chosen to come forward now at this time, so we can kick the can down the road and say we'll figure it out later, perhaps at greater public expense or impairment of access, or whatever it may be, or we can start to talk generally about it now, and that's where I'm at. I want to make sure that I understand it, because the applicant has a right to develop what by right is on the property zoning right now. But that's not what they're asking for. They're asking for a significant change, and if your department comes back and says, "Well, this is the optimum site after this is rezoned," then I would assume that the acquisition costs to impair it or take it back would therefore be higher, because they have a right to do more with it. Is that generally correct?

Mr. Hanson: Well, I think the optimum location is a difficult thing to answer at this stage, and I think that's part of if you're gathering that I'm equivocating a little bit. I am, and the reason I'm equivocating a little bit is because I'm trying to look at both the city's needs and the applicant's needs. It is incumbent upon us to preserve individual property rights. We are not at a stage yet where I could tell you with certainty how big the pump station is going to be, both in terms of capacity of pumping and in physical size. So, it would be difficult for me at this point to say that this is the optimum location. It is certainly a location that, if it were available to us when we come to design, we are actually in full-throated design that we would be looking at. But there are other opportunities. This is not our only opportunity to develop a pump station. Additionally, it is possible for us to work with the applicant after the rezoning. It might be potentially something that we could work with the applicant on. It has been pointed out we have some adjacent property with the adjacent street there, Clipper Bay Drive. Potentially, that's something we could work with them on. I guess what I'm trying to say today is that the Department of Public Works is not in a position to stand in the way of the rezoning. I don't have enough information to do that. If I did, I would. I promise.

Mr. Camp: Oh, I know that. But we are in a position of trying to weigh the same interests you just identified, the public interests, versus a private interest, and we are working with the same lack of information, or maybe even a greater lack of information than you, as a design professional working on these projects, have. So, I think it is incumbent on us to try to understand as best we can what may need to happen. We know that it's not definite. It is my understanding that some of the—and let me preface this out of respect for the many positions you hold here. Your department is vast. One of the things you're charged with, as I understand it, is real estate acquisition, and that means that there's some care given to not prejudice the city's position on other sites you might be looking at by giving very measured testimony today. Is that correct?

Mr. Hanson: Yes, sir.

Mr. Camp: All right. So, I'm trying to respect that, too. If engineers suggest that a site is preferred, it would suggest to me that other places have some type of space limitation, wetland impact, additional cost, something that makes them less than optimal. And that there would therefore be a difference that the taxpayer would have to pay if a less than optimal location was chosen. We just don't have the numbers to deal with it today. Correct.

Mr. Hanson: In theory, yes, sir. What I would like, what I'm trying not to say, I guess, is that when you're asking an engineer how valuable a piece of property is, they have only one metric to look at. When you are asking a planning body to look at how valuable a piece of property is, you are looking at a multitude of metrics. I have to say that when the preliminary engineering report was done, it was looking at solely one metric, and so that's why again, that's why you hear me equivocating up here. I recognize that you all have a difficult decision to make. If this piece of property is available, we'll be happy to talk to the applicant. If it's not, we will find another location. We feel confident that there is another solution here if this moves forward.

Mr. Camp: I appreciate what you just said. There's a reason I'm not asking engineering questions of the attorney for the applicant, and I'm not asking you legal questions. I get why you're here.

Mr. Hanson: Yes, sir.

Mr. Camp: One last question for you. When you look at the site plan, and you are saying that there are ways you may be able to work with the applicant after a rezoning, should it be granted, and I read the staff report, which says, in part, future coordination may be required if this is approved and the pump station is also needed on the site. Is that really possible? If the building is built as depicted here, I know you can't say how big the pump station is, but I think there's some indication, given how close he would put such a thing to a residential use, and the linear feet we have available. Is it really practical to say at this point that these things could coexist there, or are we talking about a different type of solution?

Mr. Hanson: I don't know the answer to that question. It's a great question. Do I think that they could coexist? I do think there's a potential that they could coexist. There would be some challenges, to be sure. For instance, if we had a diesel generator there to support the enterprise, that would be an imposition. But it likewise would be an imposition on the existing townhomes that exist there. So, we would have to work with the community, as we do on all of our projects. We try to reach out and make sure that we have an understanding. This project is still in design phase. I mean, I think you have some very good renderings, with some rather tacit projections and promises that have been put forward. But it's still not a designed building yet. It has not gone through the design review process. As you heard, stormwater is still yet to be discussed, and making sure that we have all that stuff covered. So, there is a design process that's left to be done on this. If it's at all possible, we could try to work with the applicant during that process.

Mr. Camp: And with regard to one of the earlier speakers, who owns an adjoining property and testified on the record that he uses the paper street for access to that property, if you're going to put a pump station in the paper street, I would assume that he would also need to be part of those conversations because it could impair his property rights.

Mr. Hanson: That seems reasonable, yes, sir.

Mr. Camp: All right. I don't want to call you back up because I know your time is extremely valuable. I just want to make sure that I've got it all here. The question has come up with regard to timing, that you reported to City Council about six weeks ago on the budget, the CIP in particular that was adopted, and in that CIP, if I recollect correctly, there are six roadways that currently are on hold. I believe it was said on April 21st to council that we lack approximately \$116 million of funding, per the city manager. Is that generally correct?

Mr. Hanson: \$116 million.

Mr. Camp: Yes, \$116 for six that are ready to go, and are on hold, generally for funding reasons. Correct.

Mr. Hanson: I think that's correct, sir.

Mr. Camp: And that there are another ten plus projects that we as a city have not yet identified more than four hundred million dollars to fully fund that are in the CIP. These are the outer years. The balance to fund, as currently depicted.

Mr. Hanson: Part of that, I think, is descriptive of the Independence 264 Interchange, which is not exactly one hundred percent. But the point being, yes, sir, there is a large, unfunded amount for roadway construction that we're still looking at, yes.

Mr. Camp: All right. And the reason I'm going through this point here is with regard to Shore Drive Phase Four. You're at an early stage of the design. As I look at this part of the CIP, and the CIP is how the city executes its portion of the comp plan. That's why I'm talking about it. It's part of our land use plan, the city's part that we have to build. When I look at this, I see Shore Four being no sooner than five years out, and I think that would be optimistic to find the funding, given the competing priorities, and finish out all of the preliminary type of steps that need to occur for a road project of that magnitude.

Mr. Hanson: You've caught me a little off guard because I don't have the planning documents at my disposal, but that does seem reasonable. I'm looking behind me as if Kathy knows the CIP better than I do, but that certainly seems reasonable.

Mr. Camp: All right, because as a planning commissioner, what I'm having to wrestle with here is something that isn't going to have a lot more of the definition we would really like for a couple years. It sounds like.

Mr. Hanson: Well, I do believe that we have funding that will allow us to move into the design phases. So, we hope to be able to put some numbers to it, but it's still probably a good 36 months or so.

Mr. Camp: You've been very indulgent with my questions. Thank you for bringing the rest of this information onto the record for us.

Mr. Hanson: Can I help anybody else with anything while I'm here? All right. Thank you.

Ms. Schoonover: Commissioner Schoonover. I just wanted to make a motion. I'll wait.

Ms. Cuellar: Oh, thank you for coming today. I'm not an engineer, and I'm concerned with tidal flooding, because I understand, of course, we want development, we want responsible development, but we must have the infrastructure to support it. And we received dozens and dozens of letters of opposition. I'm not sure I've ever, in my two and a half years on this commission, I'm not sure if I've ever received so much opposition as I have on this one. And the people who live there tell us we can't handle this because of flooding and because of traffic. So, I just appreciate if you could address that for me.

Mr. Hanson: Well, thank you for the opportunity. You mentioned tidal flooding. A big part of what we're looking at, and we're working on with the Army Corps of Engineers right now, is the Coastal Storm Risk Management project, or the CSR. For folks in this area, they will have heard us talking about a barrier that we are proposing, in conjunction with the Army Corps of Engineers, to be constructed at the Lesner Bridge. That would affect the impacts of tidal flooding significantly. Imagine, if you would, when high tides—really high tides—due to offshore storms, coastal storms, were coming in. If we could close that gate and prevent that water from coming in, which would have a definite impact as it came up Pleasure House Creek and into this area.

The other part that we're doing for this area is, as part of the Shore Drive Four improvements, is to lift the road up itself. We're actually elevating it, and because we're doing that, when that water drains off, it will drain into a lower area. But because it's lower than the outfall, that's what we need the pump station for. So, we will have raised the road. We will have tried to intercept the water coming in from a coastal storm, and that should make a huge, significant difference. Now those are projects that are going to take several years ahead of us, but we're working diligently on them to make them happen now.

Ms. Cuellar: I appreciate your response. Raising the road and those kinds of things make sense to me. Fighting Mother Nature by putting up a wall makes very little sense to me. I don't think we're ever going to beat Mother Nature. Let's work with her instead of against her. So tell me, this project, particularly, does this project in your mind exacerbate the issues that the neighbors who live there now tell me they're overwhelmed with, and that's primarily flooding and traffic and safety? I've heard a lot of safety concerns about Shore Drive being the most dangerous road in Virginia Beach, and so many deaths.

Mr. Hanson: Well, I don't believe that Shore Drive is the most dangerous road. I'm sure we all have perceptions where we live, and the things that we see, and our perception is local. It is not the most dangerous road to the best of my knowledge. I will tell you that the Shore Drive Phase Four improvements will make a marked improvement to Shore Drive. They're not capacity enhancing significantly. So, there will be some minor improvements for capacity. Some of the work that we're doing, they will definitely improve the flow of traffic.

As it relates to this project and the flooding as a result of this development, as has been stated both by Ms. Murphy and by myself, in the design process, they are required to meet the city's very stringent stormwater standards in order to move forward in the design process. And so, it will not be discharging more water than it does today, and it will be discharging it in a cleaner fashion than it is today. As has been pointed out, it's an undeveloped parcel; really, it's dirt, and when the water hits it, it's just running off. So, we would anticipate an improvement over what runs off the site today. I hope that's helpful. Thank you.

Mr. Cromwell: Commissioner Cromwell. Two quick questions about what you were just talking about: if they develop the ten single-family units or the ten townhouses with the PD-H1 that's there now, or if they do the 52-unit condominium, as far as stormwater and the systems between the two, which is more efficient?

Mr. Hanson: The requirement is the same, sir. They're not allowed to increase the flow off the property.

Mr. Cromwell: So equal with both, then.

Mr. Hanson: Well, yes. I mean, ostensibly, yes. How they would get there might be different. There might be a plus or minus, depending upon how they got there. But yes, sir.

Mr. Cromwell: I see. All right.

Mr. Hanson: Thank you.

Ms. Schoonover: Thank you.

Mr. Coston: Commissioner Schoonover. Back to you again.

Ms. Schoonover: I move that we approve this project. I love it. I think it's a vast improvement for this area. I think it's going to solve some of the stormwater problem. I love that it's mixed use. I can't wait to see this go through.

Mr. Coston: It's been moved by Commissioner Schoonover and seconded by Commissioner Anderson that we approve.

Mr. Plumlee: Chairman, if I may, I'm abstaining from this matter for reasons set forth in a letter with the City Attorney's Office.

Mr. Coston: Yes, sir.

Mr. Camp: Will we have discussion now that there's a motion on the table?

Mr. Coston: If you...

Mr. Camp: Is discussion open now?

Mr. Coston: Okay, yes, yes, sir. If you want to discuss.

Mr. Camp: Yes. I have had fifteen hours of phone calls, dozens of emails, read hundreds of pages of reports, listened to all the speakers, been on site. I've tried to take it all in here. It doesn't matter a bit to me for the thing that we're voting on all of the prior variations, we're dealing with what's here today. But I do appreciate that the applicant has engaged with the community and has tried to modify their proposal to accommodate the community in the current iteration.

It is my assessment that I have to hold the public interest higher than a private interest. When City Council has raised it to the magnitude that we have with stormwater mitigation and our primary

roads, these are not incidental factors; these are major factors that involved a bond referendum, and, as we went through earlier, hundreds of millions of tax dollars and priorities. Taking an option off the table for our engineers, making their work harder, is not in the public interest.

Now, that does have to be weighed against the private interest. Had the applicant come forward today to say that they wanted to build what they can build by right, that could be weighed very easily. But that's not what they're asking. They're asking to intensify the use by five times. And I can't support that. I cannot support taking options off the table that we may need to execute major public initiatives for the public good. It floods there now. The traffic is impaired now with a level D service. We just heard the Public Works director say, even after Shore Four is done, it's not going to change the capacity that much. And this is going to add another ten percent to the overage that's already there. For these reasons, among many others, I cannot support this motion.

Mr. Coston: Any further discussion? Yes. Vice Chair.

Ms. Byler: This is a really difficult application for me, as Commissioner Camp just said. I've spent dozens of hours looking at this and listening to people, talking with concerned citizens, some of whom are my very close friends, and I am very compassionate for the problems of Shore Drive. I'm a big supporter of mixed-use buildings because it's what we've just spent a lot of time on, a new comprehensive plan coming up with, and it's supposedly going to be part of the fix of the new vision, and it's what's going to make it all work and take some of the cars off the road, and to make our communities more walkable and more livable, and I know that's something that we all want.

I very much appreciate the applicant's approach to this and that everything has been done first class, and all of the outreach. I have to admit, I'm very surprised, after all that outreach, that we still have so many people opposed to it. So, after all those meetings, I would have thought that there had been more compromise or somehow reached a project that more people were in favor of. So there's still a lot of people opposed to this.

While I'm in favor of responsible development, the city must meet that with infrastructure that is balanced. We can't build things where there are no roads, where there are inadequate roads. We can't allow things that don't have the support they need. So, again, this is a real difficult one for me. I'm inclined at this point, and now that we're calling for the vote, I'm inclined to favor it. But I will say that I hope before it gets to City Council, some of these other issues are worked out. Thank you.

Mr. Coston: Ms. Hippen.

Ms. Hippen: As I stated earlier, I live over near Magnolia Run, Magnolia Chase, the Cascades, and Infinity. When Magnolia Chase was put in, I used to have to go up and down Centerville Turnpike because Lynnhaven Parkway did not go through to Volvo, nor did Volvo go through to Kempsville Road. Magnolia Run was then put in, and there was a cul-de-sac just on the other side of that. We do need to ensure that infrastructure meets the needs of the community. However, Shore Drive gets a lot more attention than Centerville Turnpike. Shore Drive is scheduled to be widened. Unfortunately, we've got budgetary concerns that are difficult for the city to meet because the state is having trouble, because the federal government is having trouble. Mixed use is pretty good. I'm glad that this design says no noxious uses for that business. The only thing

that I don't think that I heard was the impact on schools. I think that's the one thing I didn't hear. And over in my neck of the woods, there is an apartment complex being planned, and that was one of the first things that was asked. So, there was a lot of outreach, from what I am hearing. I am disappointed that there are a lot of folks here, including some friends, who do not like this. And that's all I'm going to say.

Ms. Moorjani: I was going to say something. I believe the applicant has done a very good job. I sit on the Bayfront Advisory Commission; they've been incredibly responsive. One thing that we're not talking a lot about that is a priority for our city council is that we do have a housing crisis. No project is perfect. I do believe, with the stormwater regulations that we have, that this will be managed by the applicant, and it will have an opportunity to increase our housing allotment for our residents, so that we can continue to grow our economies. So, I'm going to be supporting this application.

Mr. Coston: Are we ready for the vote? Call for the vote. Madam Clerk.

Clerk: The vote is open.

Mr. Coston: Yes.

Clerk: Commissioner Mauch.

Mr. Mauch: Aye.

Clerk: Commissioner Camp.

Mr. Camp: Nay.

Clerk: Commissioner Cromwell.

Mr. Cromwell: Aye.

Clerk: Commissioner Anderson.

Mr. Anderson: Aye.

Clerk: Vice Chair Byler.

Ms. Byler: Aye.

Clerk: Chair Coston.

Mr. Coston: Aye.

Clerk: Commissioner Cuellar.

Ms. Cuellar: Aye.

Clerk: Commissioner Schoonover.

Ms. Schoonover: Aye.

Clerk: Commissioner Plumlee.

Mr. Plumlee: Abstain.

Clerk: Commissioner Hippen.

Ms. Hippen: Aye.

Clerk: Commissioner Moorjani.

Ms. Moorjani: Aye.

Clerk: By a recorded vote of nine to one, with one abstention from Commissioner Plumlee, items thirteen and fourteen, Shore Drive Area Properties LLC, has been recommended for approval. Our next item is item twenty, Charlene Livers.

Mr. Coston: We need a break before we get started.

Ms. Cuellar: Yes. Can we just like do a little exercise? We've all been sitting for so long.

Mr. Coston: Well, I have a request for about a five-minute break. So, give us about five or ten minutes, and we'll be right back with you. Thank you.

Vote Tally

Commission Member	AYE 9	NAY 1	ABS 1	ABSENT 0
Camp		X		
Cromwell	X			
Anderson	X			
Byler (Vice Chair)	X			
Schoonover	X			
Plumlee			X	
Hippen	X			
Cuellar	X			
Coston (Chair)	X			
Moorjani	X			
Mauch	X			

Proffers

Proffer 1

The Property shall be developed in substantial conformity with the conceptual site plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN", prepared by Timmons Group dated May 12, 2026 ("Conceptual Site Plan"), which has been exhibited to the Virginia Beach City Council ("City Council"), is on file with the Virginia Beach Department of Planning & Community Development ("Planning Department") and is included herein by this

reference. Significant changes to the Conceptual Site Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

Proffer 2

The architectural design, appearance and exterior building materials of the building to be built on the Property shall be substantially compatible with the architectural design, appearance and exterior building materials depicted on the building renderings entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL RENDERINGS", dated December 19, 2025, prepared by Cox, Kliever & Company, P.C. and the building elevations entitled "SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION", dated January 28, 2026, prepared by Cox, Kliever & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.

Proffer 3

The Property shall be landscaped in substantial conformity with the conceptual landscape plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN" prepared by Timmons Group dated May 12, 2026 ("Landscape Plan"), which has been exhibited to City Council, is on file with the Planning Department and is included herein by this reference. Significant changes to the Landscape Plan may be made to accommodate environmental, engineering, topographical or other development conditions or site/subdivision plan requirements as required by the law and/or regulations or in connection with a fully engineered site plan and subject to reasonable approval of the Director of the Planning Department.

Proffer 4

All lighting on the Property shall be limited to that necessary for security purposes and to comply with applicable laws and shall be shielded to prevent glare and spillover onto adjacent properties.

Proffer 5

All onsite signage shall meet the requirements of the City Zoning Ordinance, unless otherwise approved by the Board of Zoning Appeals. The proposed sign package will be submitted to the Zoning Administrator for review and approval prior to the issuance of a sign permit.

Proffer 6

A designated pet relief area will be provided on the Property for residents.

Proffer 7

Prior to final site plan approval, GRANTOR will convey to GRANTEE a public access easement for portions of the multi-use trail along Shore Drive that are located outside the existing public right-of-way.

Proffer 8

The following uses will be prohibited on the Property whether by right or with a conditional use permit: bars and nightclubs; liquor stores and the sale of vape products.

Proffer 9

The Effective Date of this Agreement shall be the date this Agreement is approved by City Council; provided, however, in the event that this proposed amendment to the Zoning Map with respect to the Property is overturned by subsequent judicial determination, this Agreement shall be null and void.

Conditions

1. There shall be a 15-foot setback for portions of the building and associated balconies along Clipper Bay Drive. This 15-foot setback is a deviation from the 30-foot setback required by the City Zoning Ordinance.
2. There shall be an approximate 8-foot increase (43 feet in height) above the maximum permitted height within 100 feet of a residential dwelling solely to accommodate localized stairwell projections that provide rooftop access at the southern end of the building. This 43-foot height is a deviation from the 35-foot height maximum required by the City Zoning Ordinance.
3. The site shall be developed in substantial conformance to the conceptual site plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL SITE DEVELOPMENT PLAN", prepared by Timmons Group, dated May 12, 2026, which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.
4. The site shall be developed in substantial conformance to the conceptual landscape plan entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL LANDSCAPE PLAN", prepared by Timmons Group, dated May 12, 2026, which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and Community Development.
5. The architectural design, appearance and exterior building materials of the building shall be developed in substantial conformance to the building renderings entitled "SHORE DRIVE CONDOMINIUM PROJECT CONCEPTUAL RENDERINGS", dated December 19, 2025, prepared by Cox, Kliewer & Company, P.C. and the building elevations entitled "SHORE DRIVE CONDOMINIUM PROJECT MATERIAL SAMPLE ELEVATION", dated January 28, 2026, prepared by Cox, Kliewer & Company, P.C., which have been exhibited to City Council, are on file with the Planning Department and are included herein by this reference.
6. An eight-foot-tall privacy fence shall be installed and maintained along the southern property line. The fence shall be constructed of a wood-like, low-maintenance material and finished in an earthtone color, as depicted on the building renderings referenced in Condition 5.

7. All on-site signage must meet the requirements and regulations of the Zoning Ordinance. A separate permit from the Department of Planning & Community Development is required for any new signage installed on the site.
8. All outdoor lights shall be shielded to direct light and glare onto the premises; said lighting and glare shall be deflected, shaded, and focused away from all adjoining property. Any outdoor lighting fixtures shall not be erected any higher than fourteen (14) feet. A Photometric Lighting Plan shall be submitted for review and approval during the final site plan review.
9. City Ordinances and Standards remain applicable to this property. Any site plan submitted with this application must meet all applicable City Codes and Standards before site plan approval will be granted. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any approvals allowed by this application are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.

Erica Rorrer
via email: ericarorrer@gmail.com

June 8, 2026

Planning Administration
City of Virginia Beach
2403 Courthouse Drive, Building 3,
Virginia Beach, VA 23456

City Council
2401 Courthouse Drive
Virginia Beach, VA 23456

RE: Marlin Bay Proposed Condos

Dear Members of the Planning Commission and Virginia Beach City Council,

As a long-term homeowner and resident in Ocean Park, I am writing to express my support for the proposed Marlin Bay condominium project on Shore Drive.

I was a member of the silent majority who did not speak up to support the previous development on this corner and I am writing today to not repeat that mistake. While I believe the previous development proposal, which included the Browning parcel, was an excellent plan—and perhaps even superior in some respects due to its additional green space, larger biking/walking paths, greater setbacks from Shore Drive and more commercial space—the current proposal remains a strong and worthwhile development for this site. Given the reduced acreage now available, the applicant has designed a project that is aesthetically pleasing and will be successful and beneficial to the Shore Drive corridor.

One particularly positive aspect of the proposal is that it consists of condominiums rather than apartments, as previously proposed. Owner-occupied housing often creates a greater sense of long-term community investment and stability, which is an asset for the surrounding neighborhoods.

The property's current use as a boat trailer storage yard is both unsightly and an inefficient use of valuable waterfront-adjacent land. The site generates minimal economic benefit, contributes little to the tax base, and does not represent the highest and best use of this prominent location.

There is also a legitimate concern that if this project is rejected, the property could remain in its current condition indefinitely. The continued existence of a boat trailer "graveyard" at this location would not serve the interests of the Shore Drive community or the city as a whole.

I am also encouraged by the involvement of McLeskey as developers. They have a long and respected history of developing quality projects throughout the region and have earned a reputation as trusted stewards of the area. Their early involvement as residential developers in the Shore Drive corridor has continued for decades including working with the city and conservation partners to create what is now known as Pleasure House Point, permanently sparing our sandy shores and wetlands from major commercial and residential development. Their track record gives confidence that this project will be developed responsibly and with consideration for the community.

For these reasons, I respectfully urge the Planning Administration and City Council to approve the Marlin Bay project as it is a quality development that will improve the appearance of the site, generate tax revenue, provide desirable owner-occupied housing, and contribute positively to the ongoing evolution of the Shore Drive corridor.

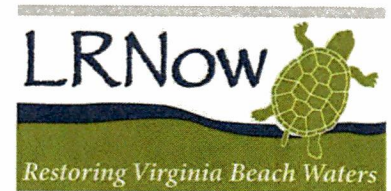
Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Erica Rorrer".

Erica Rorrer

cc: Shore Drive Area Properties, LLC



June 8, 2026

Planning District Commission
City of Virginia Beach

Re: Support for the Proposed Shore Drive Condominium Development at Shore Drive and Marlin Bay Drive

Dear Members of the Planning District Commission:

On behalf of Lynnhaven River NOW (LRNow), I am writing in support of the condominium development proposed by the McLeskey Group at the corner of Shore Drive and Marlin Bay Drive.

As an organization dedicated to restoring and protecting Virginia Beach waterways and natural areas, LRNow recognizes that one of the most effective ways to improve stormwater management in developed areas of our city is through redevelopment. Many older properties were constructed before modern stormwater regulations existed and therefore contribute significant volumes of untreated runoff to nearby waterways. Redevelopment projects provide valuable opportunities to replace outdated conditions with modern infrastructure that reduces pollution and improves water quality.

The existing site is currently used primarily as a boat storage facility consisting of compacted soil and gravel surfaces that generate substantial stormwater runoff. The property does not currently contain an on-site stormwater management system to slow, capture, or treat runoff before it reaches Pleasure House Creek.

The proposed redevelopment will significantly improve these conditions. The development team has indicated that the project will meet all applicable stormwater management requirements established by the City of Virginia Beach and the Commonwealth of Virginia. The proposed stormwater system will capture and detain runoff on-site, reducing the volume and rate of discharge while allowing pollutants and sediment to be removed before water leaves the property. The facility will be designed to meet state and local standards, incorporate monitoring and maintenance features, and be maintained regularly in accordance with manufacturer recommendations and City requirements.

These improvements will greatly reduce pollutants entering Pleasure House Creek and help manage stormwater flows that can contribute to localized flooding. From an environmental perspective, this represents a substantial improvement over existing site conditions.



In addition, representatives of the McLeskey Group have met with LRNow staff to discuss opportunities to incorporate native plant species into the landscape design. We appreciate their willingness to consider a landscape that reflects the natural character of nearby Pleasure House Point. Native vegetation provides important habitat and food sources for pollinators, birds, and other wildlife while requiring fewer inputs and supporting healthier ecological systems. By incorporating native plantings, the project can help extend some of the ecological benefits of the protected natural areas at Pleasure House Point into the surrounding developed landscape.

We believe this redevelopment presents an opportunity to improve environmental conditions on a currently developed site while contributing to the long-term health of the Lynnhaven watershed. For these reasons, LRNow supports the proposed development and encourages the Planning District Commission to give it favorable consideration.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Forget". The signature is fluid and cursive, with a large initial "K" and "F".

Karen Forget
Executive Director

June 1, 2026

Dear Marchelle,

On May 21, 2026, the Bayfront Advisory Commission voted 8-2 to support Shore Drive Area Properties, LLC s request for a Conditional Rezoning and Conditional Use Permit to develop a multifamily residential building with commercial retail, with the following conditions:

1. A request for more horizontal articulation of the building, rather than its current vertical design, to be in better keeping with the Shore Drive Corridor Design Guidelines.
2. A request to reduce the height of the building at the corner of Shore Drive and Marlin Bay, either by pulling back the upper floor a minimum of 10 feet or possibly eliminating the two upper floor units to better align with the Shore Drive Design Guidelines.
3. A request for increased use of permeable materials on the site.

These conditions brought forward by the Commission were strongly felt. The vote to recommend approval would have been substantially altered without these conditions and the conditional nature of the recommendation for approval of the application must be stressed.

The Commission appreciates the inclusion of new proffers #6 and #8 to further address some of the BAC s concerns that were brought up after the project was presented to the Design/Infrastructure Committee on May 14, 2026.

Should you have any questions, I can be contacted at awrl95@icloud.com

Thank you,

Andrea Lindemann

Chair, Bayfront Advisory Commission

Cc:

Joe Bovee, Chair BAC Design Committee

Sandy Cohen, Chair BAC Infrastructure Committee

Hank Morrison, Comprehensive Planning Administrator

From: [Carrie Walker](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay project
Date: Monday, June 8, 2026 5:27:36 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Planning Commissioners of the Marlin Bay project,

I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from prior concepts and appears to be an improvement over previous high-intensity projects considered for this corridor. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain around scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area
- Considering the cumulative effect of continued upzoning and increased intensity along Shore Drive rather than evaluating projects in isolation

Shore Drive is valued because of its balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term.

I respectfully request that any approval include meaningful modifications that reduce impacts and improve compatibility with the surrounding community.

Thank you for your consideration and service to Virginia Beach residents.

Have a great day,
Carrie Walker

From: [Jennifer Concepcion](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay
Date: Tuesday, June 9, 2026 2:39:54 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners:

My name is Jennifer Concepcion and I am a 25 year resident of the Ocean Park neighborhood in Virginia Beach. I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive.
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas.
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive. It seems this neighborhood is frequently undervalued. We continue to have issues with flooding. We have issues with the boat ramp and overflow parking. As a neighborhood, our concerns with flooding impacts from the 5,000+ plus trees being removed were ignored. We have developers that with each build they are asking for variances and exceptions where the existing neighbors impact is not considered. These items continue to add up. Including such things as unsatisfactory beach replenishment. With that said, please listen to the community. Please do not approve such a larger project for our small neighborhood. These buildings are for the Oceanfront, not for Ocean Park.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the

above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and service to Virginia Beach residents.

From: [Gmail](#)
To: [City Council](#); [Breotnie C. N. Harrison](#)
Subject: Shore Drive Development
Date: Saturday, May 2, 2026 9:18:29 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Virginia Beach City Council and Planning Commission,

My name is Suzanne Ore Phelps, and I have been a resident of Virginia Beach for 68 years. I am writing to express my strong opposition to the proposed Marlin Bay Condominiums project along the Shore Drive corridor.

While I appreciate the effort to revise and present the project to the community, my concerns remain unchanged. The proposed five-story condominium structure is fundamentally incompatible with the established vision, zoning intent, and environmental priorities outlined in the Shore Drive Corridor Design Guidelines and the City's Comprehensive Plan.

The Shore Drive Corridor has long been guided by a deliberate and thoughtful framework. From Lake Joyce through the Green Zone, the intent is clear: preserve a quiet, open, natural, and low-density residential character. This is not incidental—it reflects a commitment to environmental stewardship and neighborhood integrity.

As development moves eastward into the Mixed Zone, the Guidelines call for a gradual and respectful transition—not an abrupt shift. This area is explicitly intended for low to medium density development. A five-story condominium building represents high-density intensity and disrupts that carefully planned progression.

This proposal does not create a transition—it overrides it.

Equally concerning is the requested zoning change from PD-H1, which allows a maximum of 40% lot coverage, to B-4 zoning, which permits up to 75% lot coverage. Even if the applicant proposes less coverage today, the rezoning establishes a precedent and future entitlement that significantly increases development intensity at this sensitive location.

This site's proximity to Pleasure House Point Natural Area makes these concerns even more critical. This is one of the most environmentally sensitive and defining features of the Shore Drive corridor. The Design Guidelines clearly emphasize that development in this area should remain subordinate to the natural landscape, incorporating extensive greenspace, low visual impact, and unobtrusive design.

A five-story structure cannot be considered subordinate to this environment. Instead, it becomes the dominant feature—visually, environmentally, and contextually.

The central question is not whether this proposal is an improvement over earlier versions. The question is whether it aligns with the City's adopted plans and long-standing vision for this corridor.

Approval of this project at the proposed scale would effectively redefine the boundary between the Green Zone and Mixed Zone, setting a precedent for increased density and intensity in an area where restraint has been intentional and essential.

Once that precedent is established, it will be exceedingly difficult to reverse.

I respectfully urge you to uphold the Shore Drive Corridor Design Guidelines, the Comprehensive Plan, and the established zoning intent by rejecting this proposal in its current form.

This is a unique and sensitive area where thoughtful, measured development matters deeply—not only for current residents, but for the long-term character and environmental health of Virginia Beach.

Thank you for your time and consideration.

Sincerely,
Suzanne Ore Phelps

Sent from Suzanne's iPhone

From: [Alison Ruzbacki](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay Project
Date: Thursday, May 14, 2026 2:43:17 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I'm writing this email to express my OPPOSITION to this project. Shore Drive cost of living is already unattainable and other similar structures near the Lesner Bridge (Cape Henry Towers, Chesapeake House on the Bay, Point Chesapeake on the Bay) host a vast number of vacant units unwanted by residents. Same in Chic's Beach with Attain. Check your local Zillow/Trulia ads. It's our civic duty to protect un(der)developed areas. We do not need more buildings, we do not need more places to live, **we do not need another high-rise eye sore where no one wants to live.** Ocean Park is a family neighborhood. No high rises, no complex community buildings, just townhouses and single family homes in a peaceful neighborhood. There was huge protest against the deforestation of Loch Haven Park. LOCAL RESIDENTS DO NOT WANT THIS. We do not have the infrastructure with our roadways to support this.

Sincerely,
Your local Shore Drive resident

From: [jleneski](#)
To: [Planning Commissioners](#)
Subject: Upzoning Proposal Shore Drive
Date: Tuesday, May 19, 2026 1:45:35 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners of the City of Virginia Beach,

I reside at 3780 Shore Drive which is almost directly across the street from the proposed site for the Upzoning proposal / Marlin Bay Development on Shore Drive. I have lived in my townhouse for 16 years and have seen several new residential structures built on Shore Drive within the past decade. These new housing developments have greatly increased the traffic and subsequent accidents. The pedestrian and bicycle traffic congestion has also increased in the Ocean Park neighborhood, as well as in the Pleasure House Point Natural Reserve. When there is an accident you can be literally trapped on Shore Drive and I'm sure this will occur more frequently with the increase in population. Based on what I experience on a daily basis, I do not think Shore Drive and the surrounding areas in the Ocean Park neighborhood can accommodate the tremendous amount of auto and pedestrian traffic that a large multi-story complex / 52 condos would bring to our community. My immediate neighbors in my townhouse complex as well as myself oppose this rezoning and potential development of Marlin Bay. I ask that you NOT recommend the construction of this development to city council at the June 10th meeting.

Thank you for your time and consideration,

Jeanine Leneski

From: [Karole](#)
To: [Planning Commissioners](#)
Cc: [Karole Hockenbroch Burris](#)
Subject: Opposition to Proposed McLeskey Condominium Project on Shore Drive
Date: Tuesday, May 19, 2026 1:48:36 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Planning Commission,

I am writing to express my opposition to the proposed 52-unit McLeskey condominium project on Shore Drive and to respectfully urge the Planning Commission to deny the requested rezoning application.

While I understand the desire for thoughtful redevelopment and additional housing opportunities along the Shore Drive corridor, this proposal represents a significant departure from the established character, density, and environmental balance of the Ocean Park community. The requested increase from approximately 4.25 units per acre to nearly 24 units per acre is substantial and incompatible with the surrounding neighborhood pattern.

Ocean Park is a unique coastal community defined by its scale, natural beauty, and longstanding residential character. A building approaching 62 feet in height, even with stepped-down transitions, would dramatically alter the visual landscape of this portion of Shore Drive and create a precedent for future overdevelopment along the corridor. This scale of construction is inconsistent with the community's identity and raises serious concerns regarding whether the project aligns with the City's stated long-term vision for the Shore Drive area.

In addition, traffic and parking impacts remain a major concern. Shore Drive already experiences congestion, limited sight lines, and safety challenges, particularly during peak tourist and seasonal periods. Introducing 52 additional residential units and commercial activity will inevitably increase traffic volume and strain surrounding neighborhood streets. Overflow parking on Marlin Bay Drive and adjacent residential areas is likely to become a persistent issue, negatively affecting residents' quality of life and neighborhood accessibility.

Equally concerning are the environmental impacts associated with this development. The Shore Drive corridor and surrounding bayfront areas are already vulnerable to flooding, stormwater runoff, and drainage challenges. Increased impervious surface and density in such close proximity to Pleasure House Point Natural Area could exacerbate these conditions and place additional stress on an already sensitive ecosystem.

Pleasure House Point is one of Virginia Beach's most treasured natural resources. Increased residential density adjacent to the preserve will bring greater foot traffic, pet activity, noise, and environmental pressure to wildlife habitats, trails, and nesting areas. Once these impacts occur, they cannot easily be reversed.

I respectfully ask the Planning Commission to carefully consider the long-term consequences of approving a rezoning of this magnitude. Development decisions made today will permanently shape the future of Ocean Park and the Shore Drive corridor. Growth should complement and protect the community's character and environmental

assets — not overwhelm them.

Thank you for your time and consideration.

Sincerely,

Karole Burris

3740 Chesterfield Ave

Virginia Beach VA 23455

Burris22@verizon.net

From: [Kate L.](#)
To: [Planning Commissioners](#)
Cc: [City Council](#)
Subject: JUNE 10 Council Meeting: Marlin Bay
Date: Tuesday, May 19, 2026 3:37:43 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners -

Thank you for the work you're doing to make this city better for all its residents. I'm writing you today about Shore Drive, where we've made our home for many years, and the proposed multi-family dwellings at Marlin Bay.

As you know, the local community vigorously opposes this high-density project. What I want to write about today is why. When we bought our home, we were drawn to the hallmarks of Ocean Park - an active coastal community with charm. It felt like a respite from the rampant over-commercialism of Lynnhaven Parkway, with its entanglement of concrete and lack of character. This project is an attempt to permanently alter the existing character of Ocean Park and the surrounding communities, and will turn this Bayfront area into another Lynnhaven Parkway - a snarl of traffic and concrete, uninhabitable for families, hostile to pedestrians, completely lacking the charm and character that have made this area desirable to both families and developers.

It's a mistake.

Under current zoning, the developer can already build condos and townhouses that conform to the current character and density of our area. Instead of moving forward with projects under existing allowances, they continue to try and defy existing zoning with only their own profit in mind. It is beyond disappointing. The proposed condos are not only illegal under our current zoning, they're ugly to boot. They're designed to maximize money for the developer without any consideration for the neighborhood to which they will ultimately belong. They will inescapably change our neighborhood for the worse: more traffic, more accidents, and a density which the planning community previously deemed too high for this area.

I urge you to vote against this project. Please urge the developers to build the number of condos they are currently allowed by zoning and bring an end to this much-hated project and this needless dismantling of our much-loved neighborhood.

All the best,
Kate Lewis

From: [Marchelle L. Coleman](#)
To: [Marchelle L. Coleman](#)
Subject: FW: Marlin Bay Proposed Development
Date: Wednesday, May 20, 2026 7:56:40 AM

From: Matthew Williford <matthewwilliford@cox.net>
Sent: Tuesday, May 19, 2026 12:50 PM
To: Hank Morrison <JMorrison@vbgov.com>
Subject: Marlin Bay Proposed Development

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Morrison, I am writing to you to express my displeasure at any attempts to move forward with this unnecessary project ! I am 72 years old and I grew up a stones throw from this spot on Rampart St/Ave in Baylake Pines. The area has always been a beautiful sandy marsh area full of different wild life and serenity. The area needs to, no must, stay natural to maintain the ambience of what defined this City from the beginning. WE do not need more HOUSING complexes. This City already has too much vacant housing that has not been utilized. I have witnessed this City go from a beautiful coastal City to one that has let out of control building of all type fall into vacant, hollow areas. I urge you not to move forward with this project.

Sincerely,
Matthew D. Williford III
Sent from my iPad
Matthew Williford

From: [Carly Swift](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay Shore Drive
Date: Wednesday, May 20, 2026 8:55:55 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from prior concepts and appears to be an improvement over previous high-intensity projects considered for this corridor. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain around scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area
- Considering the cumulative effect of continued upzoning and increased intensity along Shore Drive rather than evaluating projects in isolation

Shore Drive is valued because of its balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term.

I respectfully request that any approval include meaningful modifications that reduce impacts and improve compatibility with the surrounding community.

Thank you for your consideration and service to Virginia Beach residents.

Have a great day,

Dr. Carly Swift

Wave Of Life Chiropractic Center
Shore Drive & Landstown Commons
757-321-7776

[Wave of Life website](#) [LIKE US on FACEBOOK!](#)

"Dedicated to transforming Virginia Beach into a community of health & vitality."

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From: [Sarah Pope](#)
To: [Marchelle L. Coleman](#); [Planning Commissioners](#)
Subject: Marlin Bay Condos
Date: Friday, May 22, 2026 12:49:47 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TWIMC:

The proposed building of 52 units on Marlin Bay Cove does not fit the zoning constraint for the area. We all understand that the more units that are built, the more profit and tax revenue. However, doing so is not in the public's best interest. We fought to keep PHP a natural area. We do not want, nor need any more high density apartments on Shore Drive. The resources and environment will be strained.

I am voicing my concern, even though it seems that it is a done deal. All the meetings are an act - a dog and pony show- to demonstrate that city council considered what the residents want. If they did care about its constituents, this area and other parcels of land adjacent to PHP would be left alone- undeveloped.

The proposed five-story condo does not align with the "low density" green zone. How can this even be considered, if it's so blatantly misaligned?

This area of Shore Drive is not zoned for this type of development. Please, follow the guidelines previously established.

If the rezoning occurs, it will be hard to deny that corruption does not exist within the City of Virginia Beach. Developers, campaign funding and council members should be investigated.

Sincerely,
Sarah Pope
43 year resident of Virginia Beach
Bay front community member since 2003

From: [Jennifer Snyder](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay Proposal, Shore Dr
Date: Thursday, May 21, 2026 6:54:06 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

My name is Jenny Snyder and I have been a resident of the Ocean Park neighborhood in Virginia Beach for 10 years. I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive.
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas.
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and service to Virginia Beach residents.

Jennifer Snyder, MPH, CHES

From: [Charlene Cerza](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay/Shore Dr
Date: Friday, May 22, 2026 12:25:55 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My husband and I moved into Ocean Park 5 years ago. We moved from a big house with a large lot and pool and nice neighborhood to our 2 family duplex. We love it in Ocean Park. We knew we had to make concessions due to the compact living that Ocean Park has. We now live much closer to our neighbors, share a driveway, and have limited parking for family and guests. We chose this and are fine with our decision to move here. We checked out the building restrictions for our area too due to the density of Ocean Park. I am NOT at all in favor of changing the building restrictions for the Marlin Bay project. Please adhere to the building rules that are currently in affect!!! That is all I ask of you, don't change it and make it so crowded that it won't be a nice place to still live. Thank you for your time, Charlene Cerza

From: [Kim](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay Condo Project
Date: Wednesday, May 27, 2026 8:40:21 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning all,

I can not believe this condo project has been approved by the Bayfront planning commission. 5 more condo units, housing at least 3 people per unit is 5 too many, 52 units is unbelievable! This is the same commission as well as the city council that fought to keep 1 VRBO license being granted! The reason for voting against; increased traffic.

This is horrible.

R, Kim

From: [Anne Halal](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay Condo project
Date: Wednesday, May 27, 2026 8:49:58 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission -

I would like to express my opposition to the rezoning of the area to allow for the new bayfront development. I do think the impact on traffic, parking and overall character will impact what we love about Ocean Park. We love open views near shore drive, and the pleasurehouse point natural area.

We purposefully purchased our home in Ocean park because of the overall character, nature, walkability that is so different from the other side of the Lesner bridge where the area has become overdeveloped, congested.

Please do NOT approve the rezoning and development of this condo.

THank you

--

Anne Halal, 3934 Whispering Oaks Pl, Virginia Beach, VA

From: [Marchelle L. Coleman](#)
To: [Marchelle L. Coleman](#)
Subject: FW: Vote NO on the Marlin Bay Cove Condo Project!!!
Date: Monday, June 1, 2026 2:34:02 PM

From: naneric <naneric@cox.net>
Sent: Monday, June 1, 2026 1:49 PM
To: Joashua F. Schulman <JSchulman@vbgov.com>; Breetnie C. N. Harrison <BNHarriso@vbgov.com>
Subject: Vote NO on the Marlin Bay Cove Condo Project!!!

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Joash Schulman

The proposed building of 52 units on Marlin Bay Cove does not fit the zoning constraint for the area.

We all understand that the more units that are built, the more profit and tax revenue. However, doing so is not in the public's best interest. If you approve a building of this scale, at this location, you are not just approving a project. You will be resetting the dial for what this boundary means going forward.

I fought to keep Pleasure House Point a natural area. I do not want, nor need any more high density apartments on Shore Drive. The resources and environment will be strained.

I am voicing my concern, even though it seems that it is a done deal. All the meetings seem to be an act to demonstrate that you and the rest of VB city council are considering what the residents want but your vote does not reflect what we want. If you care about your constituents then this area and other parcels of land adjacent to PHP should be left alone and undeveloped.

The proposed five-story condo does not align with the "low density" green zone. How can this even be considered, if it's so blatantly misaligned?

This area of Shore Drive is not zoned for this type of development. Please, follow the guidelines previously established.

If the rezoning occurs, it will be hard to deny that corruption does not exist within the City of

Virginia Beach. Developers, campaign funding and council members should be investigated.

Sincerely,

Nancy Pouliquen

21 year resident of Virginia Beach

Sent from my Galaxy

From: [Sandra Dawe](#)
To: [Planning Commissioners](#)
Subject: Opposition to Proposed 52-Unit Marlin Bay Project Development
Date: Monday, June 1, 2026 6:38:26 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

I respectfully oppose the proposed rezoning and development of 52 condominium units at Marlin Bay Drive.

This proposal does not appear to align with the existing zoning, the established vision for the Shore Drive Corridor, or the low-density character of this portion of the community. While I understand the desire to maximize development opportunities, land-use decisions should be guided by adopted plans, infrastructure capacity, environmental considerations, and the long-term interests of residents.

The proposed five-story condominium development is inconsistent with the low-density green zone designation and represents a significant increase in intensity for this location. If adopted planning documents and zoning guidelines are to have meaning, they should be followed rather than set aside whenever a higher-density proposal is presented.

In addition, Shore Drive already experiences substantial traffic congestion during peak periods, weekends, and tourist season. Adding 52 residential units, along with the proposed B-4 commercial zoning, will generate additional vehicle trips and further strain an area that is already challenged by traffic, parking, pedestrian safety concerns, and limited roadway capacity.

I also question the necessity of including B-4 zoning within a condominium development. Commercial uses are already available throughout the Shore Drive corridor. Introducing additional business uses within this project creates the potential for increased traffic, parking demand, deliveries, noise, and future uses that may not be compatible with the surrounding residential community.

Many residents worked diligently to preserve nearby natural areas, including Pleasure House Point, because they recognize the environmental and community value these spaces provide. Continued pressure for higher-density development adjacent to these areas risks undermining those efforts and placing additional strain on local resources and infrastructure.

I urge city officials to uphold the zoning and planning principles that have guided development in this area and deny this rezoning request. Residents deserve confidence that established land-use policies will be applied consistently and that community input is genuinely considered in the decision-making process.

Thank you for your consideration.

Sincerely,

Sandra Dawe

Ocean Park Resident

From: [Michael Dawe](#)
To: [Planning Commissioners](#)
Subject: Opposition to Marlin Bay Drive Rezoning and 52-Unit Condominium Development
Date: Monday, June 1, 2026 6:39:21 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

I am writing to express my strong opposition to the proposed rezoning and construction of a 52-unit condominium development at Marlin Bay Drive, including the request for B-4 Conditional Business zoning.

This proposal is fundamentally inconsistent with both the existing zoning and the long-established vision for this portion of the Shore Drive corridor. While I understand the desire for economic development and increased tax revenue, those goals should not come at the expense of sound planning, neighborhood compatibility, and the commitments that have been made to residents regarding the future character of this area.

The proposed five-story, 52-unit development is a dramatic departure from the low-density character that defines this part of Ocean Park. Residents have relied on adopted zoning regulations and planning documents to provide a reasonable expectation of how their community will develop over time. If those standards can be set aside whenever a developer seeks greater density, then the public is left wondering what purpose those plans serve in the first place.

I am also concerned about the precedent this rezoning would establish. Approving a project of this scale in an area designated for lower-density development sends the message that established land-use policies are negotiable rather than meaningful. Once such exceptions are granted, it becomes increasingly difficult to defend the integrity of the City's planning process in future cases.

Traffic impacts cannot be overlooked. Shore Drive already experiences significant congestion, particularly during weekends, holidays, and the tourist season. Adding 52 residential units and a commercial component will inevitably increase vehicle trips in an area that already struggles with traffic flow, pedestrian safety, and limited roadway capacity.

The impact will extend beyond Shore Drive itself. Marlin Bay Drive and neighboring residential streets are likely to experience increased cut-through traffic as drivers seek alternate routes around congestion. Residents should not be expected to absorb additional noise, traffic, and safety concerns resulting from a development that is out of scale with the surrounding neighborhood.

I also question the need for B-4 business zoning at this location. Commercial services are already readily available throughout the Shore Drive corridor. Introducing

business uses into the heart of a residential neighborhood creates the potential for additional traffic, deliveries, parking demands, and future uses that may be incompatible with the character of the surrounding community.

Perhaps most troubling is the location of this project directly across from Pleasure House Point. The City, conservation organizations, and local residents invested tremendous effort to preserve this unique natural area because of its environmental, recreational, and community value. Constructing a large, high-density development at its doorstep would significantly alter the character of the area and diminish the setting of one of Virginia Beach's most important natural assets.

The issue is not whether this property should be developed, but whether it should be developed in a manner that is consistent with existing zoning, adopted plans, and the character of the surrounding neighborhood.

Residents are not opposing this project simply because it represents change. We are opposing it because it conflicts with established plans, exceeds the scale and density envisioned for the area, introduces unnecessary commercial zoning, and threatens the character of a neighborhood and natural resource that make this part of Virginia Beach special.

As a long-time Ocean Park resident, I chose to live in this community because of its unique character, environmental resources, and lower-density development pattern. Those qualities deserve to be protected and should not be compromised by development that is inconsistent with the vision residents and City leaders have worked to establish.

I respectfully urge the Planning Commission to recommend denial of this application and ask City Council to reject the requested rezoning. Doing so would demonstrate a commitment to the City's adopted plans, to responsible growth, and to the residents who have invested their lives in this community.

Thank you for your time, consideration, and service to the citizens of Virginia Beach.

Sincerely,

Michael D. Dawe
Commander, U.S. Coast Guard (Retired)
3632 E Stratford Rd.
Virginia Beach, VA 23455
757-617-0673

From: [Deborah Williams](#)
To: [Planning Commissioners](#)
Subject: Marlin bay
Date: Monday, June 1, 2026 7:36:16 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I've been an ocean park resident for over 20 years. Over the years ocean Park has been hammered with so much destruction. The destruction of PHP. Trying to change the Baptist church on DuPont circle to an event venue to a B4 zone property, the public boat ramp and now we're faced with Marlon Bay again. We do realize that building units on Marlon Bay is destined to happen. The problems I have are the rezoning of property to B4 in our neighborhood. We fought to eliminate the church from doing the same thing. The reason is we didn't want alcohol in our neighborhood plus limited parking. If the developer wants stores then it should face Shore Dr, not into our neighborhood. Another issue I have is the traffic. For the 52 units there will be at approximately 2 cars per each unit. That's an additional 104 cars or more. We are already over crowded with traffic. Add tourism and special events with the residents that pay taxes. We feel you don't give the tax payers of ocean park any kind of grace, instead the developers and builders are given whatever they want. The residence want some kind of consideration on the decisions, the city makes when developing areas around us (especially when we are the ones impacted by your decisions). I don't think we ask much out of the elected officials except represent the people that put you in office. Without us you wouldn't have a job. Thank you for considering our issues in this manner. Debbie Williams
3650 DuPont Circle

From: CAROL MERWIN
To: Planning Commission
Date: Tuesday, June 2, 2020 10:24:56 PM

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CAROL MERWIN <carolmerwin41@gmail.com>

Mon, Jun 1, 10:31 PM (23 hours ago)

To: PlanningCommission



My name is Carol Merwin and I am a resident of the Ocean Park neighborhood in Virginia Beach. I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive.
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas.
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and service to Virginia Beach residents.

Sincerely,

Carol Merwin

From: [Brian Deschler](#)
To: [Planning Commissioners](#)
Subject: Opposition to Shore Drive Condominium Project
Date: Wednesday, June 3, 2026 8:34:12 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners,

My name is Brian Deschler, a resident in the Ocean Park (OP) neighborhood of Virginia Beach.

I oppose the proposed Shore Drive Condominium Project at the corner of Marlin Bay and Shore Drive. The developer's proposal is not a good fit with the characteristics of the residential properties in OP.

I am against using the south side of Shore Drive to build a 52-unit building. All other similar multi-unit buildings are located on the north side. Additionally, the current multi-unit building exteriors are a better match with the exteriors of the residential properties.

The proposed development has extensive glass which make it look too glitzy (more like Orion's Roof vs.an OP property).

I also oppose any rezoning variance which increases the allowable density from 4.25 to nearly 24 units per acre.

Regards,
Brian Deschler
3626 E Stratford Road.

From: [Deborah Williams](#)
To: [Planning Commissioners](#)
Subject: Re: Marlin bay
Date: Wednesday, June 3, 2026 5:33:37 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners:

My name is Debbie Williams_____ and I am a resident of the Ocean Park neighborhood in Virginia Beach. I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
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- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and service to Virginia Beach residents.

> On Jun 1, 2026, at 7:35 PM, Deborah Williams <iladeb@icloud.com> wrote:

>

> I've been an ocean park resident for over 20 years. Over the years ocean Park has been hammered with so much destruction. The destruction of PHP. Trying to change the Baptist church on DuPont circle to an event venue to a B4 zone property, the public boat ramp and now we're faced with Marlon Bay again. We do realize that building units on Marlon Bay is destined to happen. The problems I have are the rezoning of property to B4 in our neighborhood. We fought to eliminate the church from doing the same thing. The reason is we didn't want alcohol in our neighborhood plus limited parking. If the developer wants stores then it should face Shore Dr, not into our neighborhood. Another issue I have is the traffic. For the 52 units there will be at approximately 2 cars per each unit. That's an additional 104 cars or more. We are already over crowded with traffic. Add tourism and special events with the residents that pay taxes. We feel you don't give the tax payers of ocean park any kind of grace,

instead the developers and builders are given whatever they want. The residence want some kind of consideration on the decisions, the city makes when developing areas around us (especially when we are the ones impacted by your decisions). I don't think we ask much out of the elected officials except represent the people that put you in office. Without us you wouldn't have a job. Thank you for considering our issues in this manner. Debbie Williams
3650 DuPont Circle

From: [Marchelle L. Coleman](mailto:Marchelle.L.Coleman)
To: [Marchelle L. Coleman](mailto:Marchelle.L.Coleman)
Subject: FW: Shore Drive
Date: Thursday, June 4, 2026 12:12:13 PM

From: Mary Conner <conner.1955@yahoo.com>
Sent: Thursday, June 4, 2026 11:49 AM
To: City Council <CITYCOUNCIL@vb.gov>; planningcomissioners@vb.gov; Breetnie C. N. Harrison <BNHarriso@vb.gov>
Subject: Shore Drive

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern!!

I hope this letter will be considered by everyone who receives it. I have lived in Baylake Pines since 1968. I am upset by the lack of concern for the residents of Virginia Beach, especially along Shore Drive from Pleasure House Road to First Landing State Park.

Why are you destroying Shore Drive Corridor? You are destroying not only the road but the communities along it as well. What has historically been such a pleasant introduction to Virginia Beach is becoming a blacktop freeway with no beauty. In addition, you are flooding the area with dense housing decisions. You are not considering the residents who live there.

Please stop this destruction of Shore Drive Corridor.

Thank you. Please stop this madness!

Mary Elizabeth Conner
2429 Indian Hill Road
Virginia Beach, VA 23455

From: [Ashley Aulisio](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay/Shore Dr.
Date: Wednesday, June 3, 2026 11:45:06 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners:

My name is Ashley Aulisio/Adam Fatjo and we are residents of the Ocean Park neighborhood in Virginia Beach. I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive.
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas.
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and service to Virginia Beach residents.

From: [rkwhite21](#)
To: [John H. Coston](#)
Cc: [Marchelle L. Coleman](#)
Subject: Proposed Marlin Bay Condo project
Date: Wednesday, June 3, 2026 10:52:07 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Chairperson Coston:

I wanted to take this opportunity to share my position on the proposed Marlin Bay Condo project.

Born and raised in South Hampton Roads I've lived in Virginia Beach for nearly 60 years, currently living just a block away from the proposed site in Baylake Pines since 1998 and previously lived in Cape Henry Shores, Lake Shores (where I was president of their civic league) and Chesapeake Beach – all along the Shore Drive corridor. I've led local and regional government and government-affiliated economic development organizations for nearly 30 years, before retiring in 2003. During my career, I was blessed with several awards including a Proclamation by the Mayor of Virginia Beach for "Raymond White Day" and was presented with the Virginia Beach City Manager's Award for Excellence in Creativity, Innovation and Public Service.

After hearing presentations and researching the proposed development, I wanted to share with you again my thoughts regarding the Marlin Bay Condo project:

- This is a rework of a similar higher density project, on part (2.2 acres vs. 6.2 acres) of the land that McLeskey proposed an apartment project, several years ago. This is a Condo proposed project, rather than an apartment project.
- The current zoning is Planned Unit Development District-Shore Drive Corridor (PDH1-SD). All of the housing units, directly behind the proposed project, have this same zoning designation. McLeskey would have to change the current zoning and they plan to ask for variances. Mr. Rosenfield said at this meeting, and at subsequent meetings on March 19th at an open house in Ocean Park and on March 23rd at the Baylake Pines Civic League meeting, that his company and the City do not know what this historic zoning designation means and what they could build under PDH1-SD. This was very disturbing to me.
- On the current proposed project, they are requesting 52 housing units. 42 are 3 bedrooms, 8 are 4 bedrooms and 2 are 2 bedrooms. Up to 2,500 sq. ft. for retail space, also. This amounts to 23.6 units per acre, not including the retail space. As you are aware, the current zoning will allow approximately 10 units on this property.
- Shore Dr. traffic has steadily increased throughout the years, with substantially more during the tourism season. This high-density project will make the situation worse.

- The surrounding housing units and neighborhood are not designed for multi-family units under a single roof. Approval of this project would change the makeup of the immediate surrounding area and potentially open the door to other potential projects beside this property, or nearby.
- Parking would seem to be a key issue also. With the 3- and 4-bedroom units, two spaces each unit will not be enough. When family and friends come to stay with them, especially in the warmer months, the demand on on-site parking will be dramatically over the spaces provided, spilling into the surrounding neighborhood.
- Aeries on the Bay/Pelican Dunes neighborhoods will see a drastic increase in traffic during the warmer months as people living in the proposed Marlin Bay Condos, and their guests, will be most likely driving the 4 or so blocks to the beach in their community taking up the extremely limited parking spaces each unit has in front of their homes. I believe this will cause increased tension and potentially heated discussions and potentially violence.
- Affiliated with my previous comment, I'm concerned that adults partaking in alcoholic beverages that decide to walk across the extreme heavy traffic on Shore Dr. to the beach could put themselves and potentially others in harm's way.
- If approved, this proposed project would be the tallest structure from the City of Norfolk to near the foot of the west side of the Lesner Bridge and potentially opening the flood gate to other hi-rise projects along this beautiful corridor of our city.

These are just a few of my concerns with this project.

At the briefing by the developer at the Baylake Pines Civic League meeting, I asked their representative if they could fit 10-12 units on this property, similar to the surrounding residential units. He said that they probably could. So, in my opinion, as a retired professional economic developer, they could develop the property with the 10-12 units and still make a very healthy profit. I would estimate this type of development would be priced between \$750,000 and \$1 million dollars for each unit. This, to me, would be a win-win for all those involved and the City.

I've attached several pictures indicating the surrounding residential area and one indicating the traffic that consistently backs up at the Marlin Bay Dr./Shore Dr. intersection during daily rush hours and on warmer months' weekends.

I encourage you to take a closer look at this project and recommend to the developer and the City to redesign a potential project that would be compatible to the surrounding residential area. In my opinion, the current developer's condo project is just not compatible with the contiguous housing projects and I encourage you to not support the developers' current plans to rezone and their request for variances to this small 2.2 acre parcel.

I appreciate your consideration.

Sincerely,

Raymond K. White
2208 Bayville Rd.
Virginia Beach, VA 23455
757-375-3468









From: [Steve Vinson](#)
To: [Planning Commissioners](#)
Subject: Shore Drive Condominium Project Proposal
Date: Wednesday, June 3, 2026 9:57:55 AM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I just wish to express my opposition as a resident of the Shore Drive community for over 40 years to this project as proposed due to concerns about parking being inadequate and spilling on to Marlin Bay Drive; stormwater management being inadequate for storm events more severe than as planned and as are more currently being experienced; and overall increase in congestion in the Shore Drive corridor as is currently being experienced and not adequately planned for or ameliorated against by any mitigating plans (35 mph zone for Shore Drive has failed in my opinion, maintenance of current path and adjacent landscaping along Shore Drive west of the Lesner Bridge is abysmal, etc.).

Thanks you.
Dr. Steve Vinson
stevevinson925@gmail.com

From: [Ronald Marciszyn](#)
To: [Marchelle L. Coleman](#)
Subject: Shore Drive Area Properties Consideration
Date: Thursday, June 4, 2026 9:18:43 PM

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Good Evening,

I'd like to offer a letter to the Planning Department regarding Shore Drive Area Properties in one encompassing statement: *I am not opposed to development of the parcels, I strongly encourage it. I, however, am passionately opposed to the requested change in rezoning and the sizing/density it permits.*

I recognize the efforts to shape the current proposal from that of previous, however, I still hold several concerns regarding the impact on this particular section of the community, of which I own a home a few hundred yards from. The majority of these concerns stem from the density and size, as well as the unknown long term impacts of the proposed development. I boil it down to one simple question: Does the proposed fit the existing and planned development of the area? As a resident here, my opinion is no. With a lack of insurances and enforceable metrics, there is undue potential to alter the community towards the negative going forward.

First, the community would benefit from understanding a parking and traffic plan. What assumptions and factors have been taken into consideration with parking? If it becomes an issue and spills into neighboring streets, what grounds are there for enforcement and what assurances can be made? We cannot simply go with assumptions. With regards to traffic, I would propose peak transit times be studied particularly at Marlin Bay Drive as well as busy summer weekend times. Can Shore Drive handle the increase during these times? Add in a traffic event that has and will again occur between Bayville Road and Marlin Bay or the Lesner Bridge that makes East/West transit impossible. Given all the work going on across the Lesner Bridge, how does this proposal fit in for the intended work already in plan for this portion of Shore Drive?

One aspect that is most difficult to study is the sheer height of the proposed structure. In the surrounding neighborhoods that are predominantly single family homes and townhomes, the treeline still maintains some aspect of the Bayside community. The proposed structure must be compared to its surrounding development, of which I would argue nearly double the height is not acceptable. It cannot and should not be compared to the structures closer to the bridge. Anyone can sense the change as you transition East on Shore Drive, particularly to the other side of the Lesner Bridge. The proposed height would stick a large structure in an area it just does not fit within, permanently altering that corridor.

The density change is multiple times that of the surrounding neighborhood. This again is difficult to put into perspective until the mass of residents appear when it is already too late. Can the area truly support this? This has nothing to do with the style of housing (condo, townhome, single family home), but has everything to do with the number of residents in a presently undeveloped area that is already intertwined with the surrounding infrastructure and community.

The community is not opposed to development of the land. The only ask is that conditional rezoning be considered just as that, conditional and not a right, and only allow a structure/structures that fits with the intent, compatibility, and lastly character of the Ocean Park community.

I thank you for taking the time to read this and consider one of many thoughts on this matter.

Very Respectfully,

Ron Marciszyn
3840 Three Ships Landing

From: [PATRICIA HASSELL](#)
To: [Planning Commissioners](#)
Subject: Marlin Bay /Ocean Park
Date: Thursday, June 4, 2026 12:39:27 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners:

My name is Patricia Hassell, and I am a resident of the Ocean Park neighborhood in Virginia Beach. I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood albeit should not be compared as a lesser impact on Ocean Park. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive and Ocean Park.

While the proposed rendering is an attractive building, it definitely does not have any coastal design whatsoever and is not appealing in my opinion.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character. By reducing the number of units, it would solve the height issue.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive.
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas.
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and continued dedication to Virginia Beach residents.

Respectfully,
Patricia S. Hassell

Namaste

From: [Lisa Deschler](#)
To: [Planning Commissioners](#)
Subject: Shore Drive Condominium Project
Date: Thursday, June 4, 2026 12:40:40 PM

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners,

My name is Lisa Deschler, a resident in the Ocean Park (OP) neighborhood of Virginia Beach.

I oppose the proposed Shore Drive Condominium Project at the corner of Marlin Bay and Shore Drive. The developer's proposal is not a good fit with the characteristics of the residential properties in OP.

I am against using the south side of Shore Drive to build a 52-unit building. All other similar multi-unit buildings are located on the north side. Additionally, the current multi-unit building exteriors are a better match with the exteriors of the residential properties.

The size of the proposed development and the extensive glass do not match the current aesthetics of Ocean Park.

I also oppose any rezoning variance which increases the allowable density from 4.25 to nearly 24 units per acre.

Lisa Deschler

From: [Hex View](#)
To: [Planning Commissioners](#)
Subject: RE: Formal Opposition to the Proposed High-Density Development in the Ocean Park Neighborhood
Date: Thursday, June 4, 2026 4:59:10 PM

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Date: June 4, 2026

To: The City Planning Commission, City of Virginia Beach

2401 Courthouse Drive, Virginia Beach, VA 23456

Dear Honorable Members of the Planning Commission,

I am writing as a deeply concerned resident of Virginia Beach to formally register my strong opposition to the proposed large-scale development project currently under consideration for the historic Ocean Park neighborhood. While economic advancement is an important component of city planning, it must not come at the expense of irreversible environmental degradation, acute public safety hazards, and the erasure of our city's unique coastal heritage.

The Ocean Park community occupies an exceptionally ecologically sensitive geography, positioned directly between the fragile ecosystems of the Lynnhaven Inlet and the Chesapeake Bay. Introducing high-density infrastructure into this fragile landscape poses profound risks that cannot be mitigated by standard engineering practices. I urge the Commission to reject this proposal based on the following compelling public interest criteria:

- **Exacerbation of Civil and Stormwater Flooding:** Ocean Park sits on a low-lying topography highly susceptible to tidal fluctuations, heavy rainfall, and recurrent storm surges. Replacing natural, permeable maritime soils and wetlands with impervious surfaces—such as concrete roads, driveways, and high-density foundations—will severely restrict the land's natural drainage capacity. This shift will inevitably redirect millions of gallons of unabsorbed stormwater directly into adjacent residential areas and the Lynnhaven River, dramatically escalating flood risks for existing households.
- **Ecological Degradation and Habitat Loss:** The proposed footprint threatens to raze sections of mature maritime forest canopy and disrupt protected coastal wetlands. These ecosystems serve as essential breeding grounds and migratory stopovers for vulnerable avian species, marine life, and local wildlife. Furthermore, the resulting increase in urban runoff—carrying oils, heavy metals, and fertilizers—will heavily impact the water quality of the Lynnhaven Inlet, undermining decades of costly local conservation and oyster reef restoration initiatives.
- **Severe Infrastructure Overcapacity and Traffic Gridlock:** The transport corridors serving Ocean Park, particularly the Shore Drive artery, are already plagued by severe congestion, high accident rates, and bottlenecks near the Lesner Bridge. Forcing hundreds of additional vehicle trips daily onto an outdated, localized street grid will paralyze transit times for daily commuters. More alarmingly, this gridlock will severely compromise emergency vehicle response times during critical medical events or

mandatory hurricane evacuations, when every minute is vital.

- **Erasure of Neighborhood Identity and Coastal Scale:** Ocean Park is one of Virginia Beach's oldest and most historically distinct communities, defined by its modest, eclectic architecture, mature trees, and intimate, walkable lanes. Erecting a modern, high-density development completely subverts this established neighborhood character. The visual impact, structural massing, and associated light pollution will permanently sever the community from its historic identity, replacing a cherished piece of old Virginia Beach with generic urban sprawl.

Good governance dictates that smart growth must harmonize with local ecological realities and infrastructure capabilities. The proposed development forces an unsustainable burden onto a neighborhood that is physically and environmentally unsuited to handle it.

For these reasons, I respectfully request that the Planning Commission uphold its duty to protect our city's natural resources and public safety by denying the zoning variances and permits required for this project to move forward. Thank you for your time, consideration, and continued service to the citizens of Virginia Beach.

Sincerely,

Huy Vu & Duyen Truong

Concerned Citizen & Resident of Virginia Beach

3622 E. Stratford Rd

Virginia Beach, VA 23455

huyxvu@gmail.com

703-481-3532

From: [Walt Stone](#)
To: [City of Virginia Beach Mayors Office](#); [Patrick Duhaney](#); [Joashua F. Schulman](#); [Breotnie C. N. Harrison](#); [City Council](#); [Planning Administration](#)
Cc: [Windy Crutchfield](#); president@opcl.org; [Julia Bell](#)
Subject: Deny Re-Zoning/Approval of this Project
Date: Thursday, June 4, 2026 7:28:18 PM

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The Marlin Bay/Ocean Park development project design should be denied based on its request to change zoning code in order to take a maximum yield density buildout combined with commercial business development in a 2+ acre site.

The area is zoned consistent with what it is and the surrounding area. There's no driving need to add commercial business in that site, in fact, there's every reason not too.

All building needs to remain consistent with the surrounding area. Anything other is chiefly based on someone's gross need for max density profit — and not the people living in the area and adjacent community along Shore Drive. You must abide by the VB Comp Plan.

Thank you.

Property Owner/Ocean Park
WALT STONE

Sincerely

WALT STONE, MS, Director
CORNERSTONE Child and Family Services LLC
Specialized Counseling for Children and Families
[1209 Independence Blvd. Suite 105](#)
[Virginia Beach, Virginia 23455](#)
Office: [757-464-2470](tel:757-464-2470)
Fax: [757-464-2472](tel:757-464-2472)
Cell: [757-870-1998](tel:757-870-1998)
www.cornerstonechildfamilyservices.com

From: [Amy Meverden](#)
To: [Planning Commissioners](#)
Subject: Concerns Regarding Marlin Bay/Shore Drive Development
Date: Thursday, June 4, 2026 10:30:02 PM

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Dear Planning Commissioners:

I am a resident of the Ocean Park neighborhood in Virginia Beach, and I am writing regarding the proposed development at Marlin Bay and Shore Drive. I recognize this proposal has evolved from previous concepts and attempts to offer an improvement from previous high-intensity projects in the neighborhood. My concern is not whether redevelopment should occur, but whether the current proposal appropriately fits the environmental, infrastructure, and neighborhood realities of Shore Drive. To me, it does not.

As discussion continues among residents, civic leaders, and advisory groups, recurring concerns remain involving the proposal's scale, density, height, and the cumulative impacts development can create in this area.

I respectfully ask the Commission to consider modifications and mitigation measures before approval, including:

- Reducing overall density and/or building height to better transition adjacent to existing townhomes and nearby residential character to match something like townhomes or the homes in East Beach, Norfolk that match the beachy vibe of our neighborhood.
- Increasing setbacks, buffering, and landscaping to preserve neighborhood compatibility.
- Requiring additional analysis and mitigation for traffic flow, seasonal congestion, and emergency access along Shore Drive.
- Evaluating parking adequacy to reduce overflow impacts on surrounding neighborhoods and public access areas.
- Strengthening stormwater protections and reviewing cumulative flooding impacts in an already sensitive coastal corridor.
- Protecting environmental resources adjacent to the project, including impacts to nearby natural areas and wildlife habitat associated with Pleasure House Point Natural Area.

We cannot look at these projects in isolation, rather we must consider the cumulative effect of continued upzoning and increased density along Shore Drive.

I urge our city leaders to work to maintain balance between neighborhoods, coastal ecosystems, natural spaces, and local access. Once scale and density decisions are approved, the impacts to character and infrastructure become long term and set precedent for additional high density projects.

I respectfully request that any approval require meaningful modifications that reduce the above mentioned impacts and most importantly, improve compatibility with the adjacent neighbors.

Thank you for your consideration and service to Virginia Beach residents.

Sincerely,

Amy Meverden

From: bookandpentoo@gmail.com
To: [Planning Commissioners](#)
Subject: Stop the Marlin Bay Dr./Shore Dr. Proposed High Density Condo Building
Date: Friday, June 5, 2026 12:55:22 AM

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Dear Planning Commissioners,

As a resident of the Shore Drive community, I am appalled at the Mcleskey developer plans for an ugly high density housing unit at the corner of Marlin Bay and Shore Drive. This building is much too large for the lot size. The number of units inside is insanely packed. Parking would be a problem for current residents and any new neighbors! In addition, the exterior of the building proposed is quite dark, pointy and shiny. It's actually quite ugly and doesn't fit the aesthetics of our pleasant beach neighborhood. I ask that this project go back to the drawing board with a prettier exterior, smaller building with greenspace and many fewer condos inside.

Vivian Clark



Cox, Kliewer &
Company, P.C.

**SHORE DRIVE
CONDOMINIUM PROJECT**

REVISED CONCEPTUAL RENDERINGS
JUNE 30, 2026

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**SHORE DRIVE
CONDOMINIUM PROJECT**

REVISED CONCEPTUAL RENDERINGS
JUNE 30, 2026

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**SHORE DRIVE
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SHORE DRIVE CONDOMINIUM PROJECT

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**SHORE DRIVE
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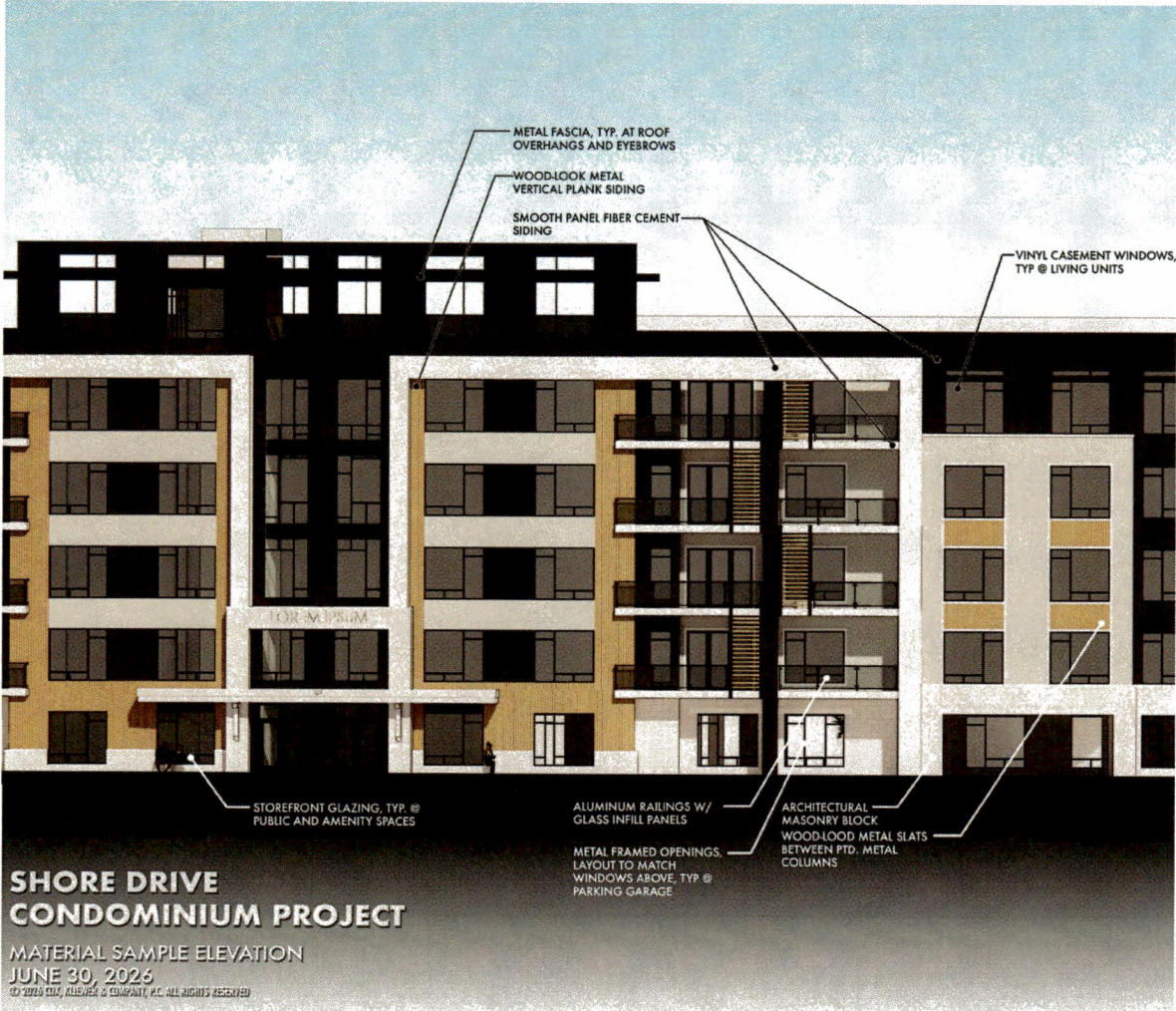


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**SHORE DRIVE
CONDOMINIUM PROJECT**

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JUNE 30, 2026

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METAL FASCIA, TYP. AT ROOF OVERHANGS AND EYEBROWS

WOOD-LOOK METAL VERTICAL PLANK SIDING

SMOOTH PANEL FIBER CEMENT SIDING

VINYL CASEMENT WINDOWS, TYP @ LIVING UNITS

STOREFRONT GLAZING, TYP. @ PUBLIC AND AMENITY SPACES

ALUMINUM RAILINGS W/ GLASS INFILL PANELS

METAL FRAMED OPENINGS, LAYOUT TO MATCH WINDOWS ABOVE, TYP. @ PARKING GARAGE

ARCHITECTURAL MASONRY BLOCK WOOD-LOOK METAL SLATS BETWEEN PTD. METAL COLUMNS

Cox, Kliewer & Company, P.C.
ARCHITECTURE

SHORE DRIVE CONDOMINIUM PROJECT

MATERIAL SAMPLE ELEVATION
JUNE 30, 2026

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