

**SUFFOLK CITY COUNCIL MEETING**  
**OF MAY 20, 2026**



**WORK SESSION**

**Begins at 4:00 P.M.**

**REGULAR SESSION**

**Begins at 6:00 P.M.**

**SUFFOLK CITY COUNCIL  
WORK SESSION  
May 20, 2026  
4:00 p.m.  
City Council Chamber**

1. SPSA SORT Overview
2. Community and Mental Health Resources Overview
3. \*Disposition and Acquisition of Property: 33\*14, 33\*14C
4. \*Appointments

\* Proposed Items for Closed Session

**AGENDA: May 20, 2026, Work Session**

**ITEM: SPSA SORT Overview**

Dennis Bagley, Executive Director of the Southeastern Public Service Authority (SPSA), will provide an overview of the Separating Organics, Recycling and Trash system (SORT).

**AGENDA: May 20, 2026, Work Session**

**ITEM: Community and Mental Health Resources Overview**

Brandon Rodgers, Executive Director of the Western Tidewater Community Services Board, will provide an overview regarding Mental Health Resources in the City of Suffolk.

Suffolk Fire and Rescue Chief, Michael Barakey, will provide an overview of the Marcus Alert System.

Eboni Murphy, Founder and Executive Director of the Rest Assured Foundation of Virginia, will provide an overview of Community Resources.

**SUFFOLK CITY COUNCIL AGENDA**  
**May 20, 2026**  
**6:00 p.m.**  
**City Council Chamber**

- 1. Call to Order**
- 2. Nonsectarian Invocation**
- 3. Approval of the Minutes**
- 4. Special Presentations**
  - A.** A proclamation in recognition of “Foster Care Awareness Month”
  - B.** A proclamation in recognition of “National Emergency Medical Services Week”
  - C.** A proclamation in recognition of “National Public Works Week”
  - D.** A proclamation in recognition of “National Building Safety Month”
- 5. Removal of Items from the Consent Agenda and Adoption of the Agenda**
- 6. Agenda Speakers**
- 7. Consent Agenda** - A resolution authorizing the City Manager to execute the Regional Groundwater Mitigation Program Administration Memorandum of Agreement
- 8. Consent Agenda** - An ordinance to add the Legal Intern (Part-Time) position to the City of Suffolk Compensation Plan
- 9. Public Hearing** - An ordinance to rezone and amend the official zoning map of the City of Suffolk for property zoned PD, Planned Development Overlay Zoning District, in order to amend the planned development master plan for property located at 1015 South Hillpoint Boulevard, Zoning Map 26F(I B), Parcel C, Account Number 253215400; RZN2024-015 (Conditional)
- 10. Public Hearing** - An ordinance to rezone and amend the official zoning map of the City of Suffolk to change the zoning from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District, for the property located at 400 Jonathans Way, Zoning Map 26, Parcel 7B, Account Number 253134400; RZN2025-009 (Conditional)

11. **Public Hearing** - An ordinance to grant a Conditional Use Permit to establish vehicle rentals-passenger vehicles only, use on property located at 5665 Shoulders Hill Road, Zoning Map 12, Parcel 55\*1D, Account Number 301204000; CUP2025-013
12. **Public Hearing** - An ordinance to grant a Conditional Use Permit to establish a probation and parole office, on property located on Dill Road, Zoning Map 34, Parcel 88\*7, Account Number 103451100, CUP2026-003
13. **Public Hearing** - An ordinance to grant a Conditional Use Permit to establish a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, Zoning Map 25, Parcel 38H, Account Number 252926500; CUP2026-005
14. **Public Hearing** - An ordinance to grant a Conditional Use Permit to establish a pawn shop on property located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F, Account Numbers 353129000 and 350800000, CUP2026-008
15. **Ordinances**
16. **Resolutions**
17. **Staff Report** - Significant Land Use Item
18. **Motion** - A motion to receive a report regarding the fiscal impact of removing the moratorium on tax exemptions for nonprofit organizations
19. **Non-Agenda Speakers**
20. **New Business**
21. **Announcements and Comments**
22. **Adjournment**

Work Session of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, February 4, 2026, 4:00 p.m.

**PRESENT**

Council Members -

Michael D. Duman, Mayor, presiding

Lue R. Ward, Jr., Vice Mayor

Leroy Bennett

Shelley Butler Barlow

Timothy J. Johnson

John T. Rector

LeOtis L. Williams

Ebony N. Wright

Erika S. Dawley, City Clerk

William E. Hutchings, Jr., City Attorney

Kevin M. Hughes, Interim City Manager

**ABSENT**

None

**FISCAL YEAR 2027-2028 CAPITAL IMPROVEMENTS PROGRAM AND PLAN**

Utilizing a PowerPoint presentation, Finance and Budget Director Stephanie Wells, Parks and Recreation Director Mark Furlo, Interim Deputy City Manager Gerry Jones, Fire and Rescue Chief Michael Barakey, Police Chief James Buie, Public Works Director Gregg Benton and Public Utilities Director Paul Retel gave a report about the above referenced item.

Referring to the presentation, Council Member Williams asked whether the perpetual care fund was being used for the improvements at Holly Lawn Cemetery. Parks and Recreation Director Furlo advised a portion of the cost will come from the perpetual care fund. Interim City Manager Hughes advised that the perpetual care fund will provide supplemental funding for the improvements.

Referring to the presentation, Council Member Bennett solicited information about the former Brady's Marina. Parks and Recreation Director Furlo summarized that staff anticipates going out to bid in the next couple of months.

Referring to the presentation, Council Member Bennett inquired about the dredging of Bennett's Creek. Interim City Manager Hughes advised that the United States Army Corps of Engineers will fund and perform the dredging.

Referring to the presentation, Council Member Bennett asked about the athletic fields at the new John F. Kennedy Middle School. Parks and Recreation Director Furlo said the current field would remain, and a field for football and softball will be installed.

Referring to the presentation, Council Member Bennett requested information about recreation at Freney Avenue and suggested the inclusion of a baseball field. Parks and Recreation Director Furlo reported that the current field would remain so the children who attend camp at East Suffolk Recreation Center will have space to play. He concluded that the area is not conducive to locating a baseball field.

Referring to the presentation, Council Member Butler Barlow queried about the prioritization of curb and gutter projects. Public Works Director Benton said the decisions are steered by the community and City Council.

Referring to the presentation, Council Member Butler Barlow asked for plans associated with Phase I of the Oakland Drainage Improvements Project. Public Works Director Benton advised he could provide information to her.

Council Member Johnson, on a motion seconded by Council Member Williams, moved to include the installation of lights on the athletic fields at Holland Park in the first year of the Fiscal Year 2027-2036 Capital Improvements Program and Plan, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

Referring to the presentation, Council Member Rector inquired about the funding for Lake Meade Park in relation to the proposed installation of a splash pad. Parks and Recreation Director Furlo said the funding is for park maintenance. He concluded that additional funding would be needed for the construction of the splash pad.

Council Member Rector, on a motion seconded by Vice Mayor Ward, moved to direct Interim City Manager Hughes to consider the feasibility of including the Kimberly Bridge and accelerating funding for the expansion of Nansemond River High School, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

Referring to the presentation, Vice Mayor Ward called for improved maintenance on the Pughsville side of Magnolia Park. Parks and Recreation Director Furlo replied in the affirmative.

Referring to the presentation, Vice Mayor Ward asked whether Suffolk Police Department Precinct 2 was staffed. Police Chief Buie reported there is a clerk present during daytime hours and sometimes on weekends. He offered to share the precinct’s staffing schedule.

Vice Mayor Ward inquired about the construction status of the stormwater retention pond in Pughsville. Interim City Manager Hughes said the pond has been built.

Referring to the presentation, Vice Mayor Ward requested information about funding for sidewalks in Nansemond Borough. Interim City Manager Hughes advised that funding will be available July 1, 2026.

Referring to the presentation, Mayor Duman inquired about the availability of the City’s funding in relation to money promised from the Transportation Partnership Opportunity Fund for the expansion of Route 460. Interim City Manager Hughes reported that staff has been meeting with the Virginia Department of Transportation to ensure the City can use the funding within the required timeframe.

**CLOSED MEETING**

City Clerk Dawley presented the Closed Meeting motion for City Council’s consideration:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment and the assignment, appointment, and performance of specific public officers or appointees of the City, specifically the appointments as shown on the attached list for vacancies or term expirations for the Early Childhood Development Commission, Economic Development Authority of the City of Suffolk , Human Services Advisory Board, Local Board of Building Code Appeals, Parks and Recreation Advisory Commission, Suffolk Redevelopment and Housing Authority, The Planning Council, Tidewater Youth Services Commission, and the appointment of the City Manager.
2. Pursuant to Virginia Code Section 2.2-3711(A)(3), the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, Tax Map Parcel Numbers 24\*43, 24\*34A, 24\*11, 24\*6, 24\*16, 24\*17, 24\*14, 24\*18, 24\*28A

Council Member Williams, on a motion seconded by Council Member Johnson, moved that City Council convene in a closed meeting for the above referenced purposes, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

City Council convened in Closed Meeting at 5:17 p.m. The Closed Meeting concluded at 5:50 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Approved: \_\_\_\_\_  
Michael D. Duman, Mayor

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, February 4, 2026, at 6:00 p.m.

**PRESENT**

Council Members -

Michael D. Duman, Mayor, presiding

Lue R. Ward, Jr., Vice Mayor

Leroy Bennett

Shelley Butler Barlow

Timothy J. Johnson

John T. Rector

LeOtis L. Williams

Ebony N. Wright

Erika S. Dawley, City Clerk

William E. Hutchings, Jr., City Attorney

Kevin Hughes, Interim City Manager

**ABSENT**

None

**CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Duman called the meeting to order. Council Member Butler Barlow offered the Invocation and led the Pledge of Allegiance.

**FREEDOM OF INFORMATION ACT CERTIFICATION**

City Clerk Dawley presented a resolution certifying the Closed Meeting of February 4, 2026, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Williams, on a motion seconded by Council Member Wright, moved to approve the resolution, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF FEBRUARY 4, 2026, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED**

**APPROVAL OF THE MINUTES**

Council Member Johnson, on a motion seconded by Council Member Rector, moved to approve the minutes from the October 9-10, 2025, Special Meeting and the October 15, 2025, Work Session and Regular Meeting, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**SPECIAL PRESENTATIONS**

There were no items under this portion of the agenda.

**REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA**

Council Member Butler Barlow, on a motion seconded by Council Member Bennett, moved to adopt the agenda, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**AGENDA SPEAKERS**

There were no speakers under this portion of the agenda.

**CONSENT AGENDA**

City Clerk Dawley presented the following Consent Agenda items:

**Consent Agenda Item #7** - An ordinance to accept and appropriate a 2025 Port Security Grant from the United States Department of Homeland Security for the Suffolk Police Department

**Consent Agenda Item #8** - An ordinance to accept and appropriate funds from the Virginia Department of Criminal Justice Services in support of the Suffolk Police Department

**Consent Agenda Item #9** - An ordinance to accept and appropriate a V-STOP Reduction in Domestic Violence grant from the Virginia Department of Criminal Justice Services

**Consent Agenda Item #10** - An ordinance to appropriate funds from the General Fund Assigned Fund Balance to the Community Safety Department

Referring to Consent Agenda Items #7 through #10, Interim City Manager Hughes submitted a review of the background information as printed in the official agenda.

Council Member Bennett, on a motion seconded by Council Member Wright, moved to adopt the Consent Agenda Items #7 through #10, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**PUBLIC HEARINGS**

There were no items under this portion of the agenda.

**ORDINANCES**

There were no items under this portion of the agenda.

**RESOLUTIONS**

**Resolution** - A resolution authorizing the filing of Federal Aviation Administration and Virginia Department of Aviation Grant Applications and authorizing the City Manager to execute grant agreements for Fiscal Year 2026 Airport improvement projects

Utilizing a PowerPoint presentation, Economic Development Director Janet Days supplied a review of the background information as printed in the official agenda. Additionally, she gave a summation of the background information as printed in the official agenda of the next item on the agenda: a resolution authorizing the filing of the Virginia Horse Industry Board (VHIB) Grant Applications and authorizing the City Manager to execute a grant agreement for the FY 2026 Equine Agri-Tourism Event.

Council Member Johnson, on a motion seconded by Council Member Butler Barlow, moved to approve the resolution, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**A RESOLUTION AUTHORIZING THE FILING OF FEDERAL AVIATION ADMINISTRATION AND VIRGINIA DEPARTMENT OF AVIATION GRANT APPLICATIONS AND AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS FOR FY 2026 AIRPORT IMPROVEMENT PROJECTS**

**Resolution** - A resolution authorizing the filing of the Virginia Horse Industry Board (VHIB) Grant Applications and authorizing the City Manager to execute a grant agreement for the FY 2026 Equine Agri-Tourism Event

Council Member Wright, on a motion seconded by Council Member Butler Barlow, moved to approve the resolution, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**A RESOLUTION AUTHORIZING THE FILING OF THE VIRGINIA HORSE INDUSTRY BOARD (VHIB) GRANT APPLICATIONS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT FOR THE FY 2026 EQUINE AGRI-TOURISM EVENT**

**STAFF REPORTS**

There were no items under this portion of the agenda.

**MOTIONS**

**Motion** - A motion to schedule a public hearing to be held on February 18, 2026, to receive public comment on the Proposed Fiscal Year 2027-2036 Capital Improvements Program and Plan

Council Member Williams, on a motion seconded by Council Member Rector, moved to schedule a public hearing to be held on February 18, 2026, to receive public comment on the Proposed Fiscal Year 2027-2036 Capital Improvements Program and Plan, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**Motion** - A motion to schedule a Public Hearing for February 18, 2026 to receive public comment on an ordinance authorizing the City Manager to execute a deed of easement with the Commonwealth of Virginia Department of Environmental Quality to convey temporary and permanent non-exclusive easements for the installation of and access to a water quality observation well on City-owned property located on the site of the existing Reids Ferry well in the Chuckatuck Borough in the City of Suffolk.

Council Member Butler Barlow, on a motion seconded by Council Member Williams, moved to schedule a Public Hearing for February 18, 2026 to receive public comment on an ordinance authorizing the City Manager to execute a deed of easement with the Commonwealth of Virginia Department of Environmental Quality to convey temporary and permanent non-exclusive easements for the installation of and access to a water quality observation well on City-owned property located on the site of the existing Reids Ferry well in the Chuckatuck Borough in the City of Suffolk, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**NON-AGENDA SPEAKERS**

Miguel Lopez, 303 Bullock Street, representing self, opined about unlicensed contractors doing business in the City.

Jennifer Wilman, 4305 Ainslie Court South, representing self, opined about the direction of the City.

**NEW BUSINESS**

There were no items under this portion of the agenda.

## ANNOUNCEMENTS AND COMMENTS

Utilizing a PowerPoint presentation, Communications Director Jennifer Moore provided a report on the following: City's operational hours for the President's Day holiday; ribbon cuttings for Golden Luxe Arena and the White Multipurpose Center; Agriculture Specialist Julia Hillegass's feature in *CoVaBIZ* magazine for "Women on the Leading Edge"; Deputy City Attorney Stephanie Pough's feature in *Virginia Lawyer* magazine's "Lawyer Spotlight"; the completion of the Pittmantown Bridge Replacement Project; Transit Equity Day recognition by Virginia Regional Transit; availability of tax return preparation help from AARP at the Suffolk Workforce Development Center; murals on loan from the at the Phoenix Bank Building from the Virginia African American Cultural Center; and recognition of City staff who responded to winter weather event.

Council Member Wright acknowledged City staff for their assistance during the recent winter event.

Council Member Rector recognized Parks and Recreation Director Mark Furlo for attending the Kingsboro Civic League meeting.

Council Member Rector acknowledged City staff for their assistance during the recent winter storm.

Council Member Rector opined about tonight's Non-Agenda Speakers.

Council Member Rector requested that the City's website be updated with the new deadline for non-agenda speakers.

Council Member Rector congratulated Agriculture Specialist Hillegass and Deputy City Attorney Pough on their recognitions.

Council Member Williams announced that he attended the ribbon cutting for the White Multipurpose Center.

Council Member Butler Barlow opined about the proposed Capital Improvement plan.

Council Member Butler Barlow reported that she attended a childcare event hosted by the Early Childhood Development Commission.

Council Member Bennett congratulated Agriculture Specialist Julia Hillegass and Deputy City Attorney Stephanie Pough on their recognitions.

Council Member Bennett announced that he attended the ribbon cutting for Golden Luxe Area.

Council Member Bennett opined about the murals on loan from the at the Phoenix Bank Building from the Virginia African American Cultural Center.

Council Member Bennett asked about the status of the City's participation in the Oculus application. Interim City Manager Hughes reported the City is working with the application's developer regarding future participation.

Council Member Johnson reported that he attended the recent Agriculture Committee meeting.

Council Member Johnson congratulated Agriculture Specialist Julia Hillegass on her recognition.

Council Member Johnson announced that he attended a childcare event hosted by the Early Childhood Development Commission.

Council Member Johnson opined about the murals on loan from the at the Phoenix Bank Building from the Virginia African American Cultural Center.

Council Member Johnson reported that he attended the ribbon cutting for Golden Luxe Arena.

Council Member Johnson congratulated Deputy City Pough on her recognition.

Vice Mayor Ward congratulated Agriculture Specialist Hillegass and Deputy City Attorney Pough on their recognitions.

Mayor Duman opined about the proposed Capital Improvements Program and Plan Fiscal Year 2027-2026.

Mayor Duman recognized Suffolk Public Schools Teachers of the Year: Justine Spina for elementary, Sarah McDonald for high school and Stephanie Austin for middle school.

Mayor Duman announced the next Education Committee meeting.

Mayor Duman opined about unlicensed contractors.

Mayor Duman reported that he attended the following: childcare event hosted by the Early Childhood Development Commission; the Burbage Grant Homeowners Association meeting, and the ribbon cuttings for the White’s Multipurpose Center ribbon cutting and the Golden Luxe Arena.

Mayor Duman acknowledged City staff for their assistance during the recent winter storm.

Mayor Duman announced that he attended the recent Public Safety Committee meeting.

Council Member Wright, on a motion seconded by Council Member Williams, moved to adjourn, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams, and Wright	8
NAYS:	None	0

There being no further business to come before City Council, the regular meeting was adjourned at 7:01 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Approved: \_\_\_\_\_  
Michael D. Duman, Mayor

**Agenda: May 20, 2026, Regular Session**

**Item: Special Presentation** – A proclamation in recognition of “Foster Care Awareness Month”

Suffolk Department of Social Services request a proclamation in recognition of the “Foster Care Awareness Month” from May 1– 31, 2026.

Toya Taylor, Assistant Director of Services and Deonna Butler, Services Program Manager, will accept this proclamation.

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Special Presentation** – A proclamation in recognition of “National Emergency Medical Services Week”

The Suffolk Department Fire and Rescue has requested a proclamation in recognition of National Emergency Medical Services Week May 17, 2026, through May 23, 2026 in conjunction with this observance throughout the Commonwealth of Virginia and the United States. Fire Chief Michael Barakey will be present to accept the proclamation.

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Special Presentation** - A proclamation in recognition of “National Public Works Week”

Public Works has requested City Council to designate May 17 through 23, 2026 as “National Public Works Week” in conjunction with this observance throughout the Commonwealth of Virginia and the nation. Public Works Director Gregg Benton will be present to receive the proclamation.

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Special Presentation** - A proclamation in recognition of “National Building Safety Month”

The Suffolk Department of Planning and Community Development has requested a proclamation in recognition of “Building Safety Month”, from May 1, 2026, through May 31, 2026, in conjunction with its observance throughout the Commonwealth of Virginia and the United States. Ms. Jennifer Cobb, Assistant Director of Community Development and Sean Day, Building Official, will be present to receive the proclamation.

# **Removal of Items from the Consent Agenda and Adoption of the Agenda**

# **Agenda Speakers**

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Consent Agenda** - A resolution authorizing the City Manager to execute the Regional Groundwater Mitigation Program Administration Memorandum of Agreement

In 1994 the Hampton Roads Planning District Commission (HRPDC) and its member jurisdictions executed an agreement establishing the Regional Groundwater Mitigation Program. The purpose of the Mitigation Program is to evaluate impacts to private wells caused by the operation of the local government municipal wells within the region and the distribution of costs among the jurisdictions to mitigate the experienced impact to a private well. This program, initiated in 1994, has been extended for additional terms in May 2000, July 2006, March 2010, and June 2022. The Regional Groundwater Mitigation Program Administration Memorandum of Agreement sets forth the responsibilities of the HRPDC and the local governments in administering the program. In addition, the Mitigation Program is required as part of the various regional groundwater permits issued by the Department of Environmental Quality (DEQ) to the local governments.

The HRPDC Directors of Utilities Committee has evaluated the program and recommends the renewal of the Memorandum of Agreement to continue the program indefinitely unless terminated by a participating Locality or the James City Service Authority.

**RECOMMENDATION:**

Adopt the attached resolution

**ATTACHMENTS:**

Resolution  
Regional Groundwater Mitigation Program Administration Memorandum of Agreement

**RESOLUTION NUMBER** \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE  
THE REGIONAL GROUNDWATER MITIGATION PROGRAM  
ADMINISTRATION MEMORANDUM OF AGREEMENT**

WHEREAS, in August 1994 the Hampton Roads Planning District Commission (HRPDC) and its member jurisdictions executed an agreement establishing the Regional Groundwater Mitigation Program; and,

WHEREAS, the Program establishes HRPDC's responsibilities for conducting analyses of groundwater impacts of municipal withdrawals in support of existing municipal groundwater permits; and,

WHEREAS, the Agreement was renewed in June 2022 for a period ending December 31, 2025; and,

WHEREAS, the HRPDC Directors of Utilities Committee has evaluated the program and has recommended the renewal of the Agreement indefinitely unless terminated by a participating Locality or the James City Service Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Suffolk, Virginia, that the City Manager be, and is hereby authorized to execute the Regional Groundwater Mitigation Program Administration Memorandum of Agreement, in substantially the same form as attached; and the City Clerk is directed to affix the Corporate Seal of the City thereto and attest the same.

This resolution shall be effective upon its adoption, and it shall not be published.

READ AND ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

Erika S. Dawley, City Clerk

Approved as to Form:



William E. Hutchings, Jr., City Attorney

## REGIONAL GROUNDWATER MITIGATION PROGRAM ADMINISTRATION

### MEMORANDUM OF AGREEMENT BETWEEN THE HAMPTON ROADS PLANNING DISTRICT COMMISSION AND THE CITIES OF CHESAPEAKE, FRANKLIN, HAMPTON, NEWPORT NEWS, NORFOLK, POQUOSON, PORTSMOUTH, SUFFOLK, VIRGINIA BEACH, AND WILLIAMSBURG, THE COUNTIES OF GLOUCESTER, ISLE OF WIGHT, SOUTHAMPTON AND YORK, THE TOWN OF SMITHFIELD, AND THE JAMES CITY SERVICE AUTHORITY

**WHEREAS**, Section 15.2-1300 of the Code of Virginia enables local governments to enter into cooperative agreements to exercise those powers that each may be enabled to exercise, including conducting technical analyses to support such activities; and

**WHEREAS**, Section 15.2-4203 of the Code of Virginia enables local governments to establish Planning District Commissions; and

**WHEREAS**, the cities and counties that are signatories to this Agreement have acted, in accordance with Section 15.2-4200 of the Code of Virginia to establish the Hampton Roads Planning District Commission, et seq.; and

**WHEREAS**, several Localities in the Hampton Roads region operate groundwater-based water supply systems; and

**WHEREAS**, the Hampton Roads Planning District Commission has been requested and has undertaken various studies to support local government water supply development, including groundwater resource management efforts; and

**WHEREAS**, on behalf of the signatory parties, the Hampton Roads Planning District Commission has contracted with the U.S. Geological Survey to complete various technical analyses of the region's groundwater resources, including the following efforts:

- Development of a methodology for allocating responsibilities for groundwater impacts, as documented in Michael J. Focazio and Gary K. Speiran, Estimating Net Drawdown for Episodic Withdrawals at Six Well Fields in the Virginia Coastal Plain Aquifers, U.S. Geological Survey, Water Resources Investigations Report No. 93-4159, 1992;
- Refined description of the aquifer system of the Virginia Coastal Plain and a hydrogeologic framework for ground-water investigation, as documented in E. Randolph McFarland and T. Scott Bruce, The Virginia Coastal Plain Hydrogeologic Framework, U.S. Geological Survey, Professional Paper 1731, 2006; and
- Development of the Virginia Coastal Plain Groundwater Model to provide a better tool to understand the groundwater resource through simulation of groundwater withdrawals, drought, and saltwater intrusion, as documented in Charles E. Heywood and Jason P. Pope, Simulation of Groundwater Flow in the Coastal Plain Aquifer System of Virginia, U.S. Geological Survey, Scientific Investigations Report 2009-5039, 2009.

- Development of methodology for groundwater withdrawal influence analysis using the Virginia Coastal Plain Model, as documented in Jason P. Pope, Groundwater Mitigation Analysis for the Hampton Roads Planning District Commission Using an Application of the Principle of Superposition with the Virginia Coastal Plain Groundwater Model, U.S. Geological Survey, Technical Summary Report, 2024.

**WHEREAS**, the signatory parties have requested the Hampton Roads Planning District Commission to administer a Regional Groundwater Mitigation Program, on their behalf; and

**WHEREAS**, on August 11, 1994, the signatory parties entered into the Groundwater Mitigation Program Administration Agreement; and

**WHEREAS**, on May 31, 2000, July 5, 2006, March 18, 2010, July 21, 2016, and June 1, 2022, the signatory parties extended the Groundwater Mitigation Program Administration Agreement; and

**WHEREAS**, in accordance with the provisions of the August 11, 1994 Agreement, as extended on May 31, 2000, July 5, 2006, March 18, 2010, July 21, 2016, and June 1, 2022 the signatory parties have evaluated the Groundwater Mitigation Program and determined that the Program should be continued;

**NOW THEREFORE**, the signatory parties enter into the following Agreement.

This Memorandum of Agreement, entered into this \_\_\_ day of \_\_\_\_\_, among and between 15 local governments in Hampton Roads, the James City Service Authority, and the Hampton Roads Planning District Commission (HRPDC), establishes and extends the Regional Groundwater Mitigation Program. It outlines the roles and responsibilities of each entity in administering and funding the Regional Groundwater Mitigation Program.

## **BASIC PREMISES**

1. Some local governments in Hampton Roads operate public water supply wells inside and/or outside of their incorporated boundaries.
2. All local governments in Hampton Roads are interested in ensuring that groundwater drawdown associated with the operation of public water supply wells does not adversely impact the private wells of their citizens.
3. In the case where operation of a public water supply well causes or contributes to groundwater drawdown that renders a well unusable, then mitigation of damages attributable to that drawdown may be sought by the well owner in accordance with local mitigation plans and agreements.
4. This Agreement establishes the administrative framework, which will be used by the signatory parties to obtain technical analysis of requests for

mitigation by private well owners or other local governments in Hampton Roads. Financial issues related to these requests are governed by existing interjurisdictional agreements and state-approved Groundwater Mitigation Plans that are separate and distinct from this Agreement.

5. This Agreement shall continue indefinitely unless terminated by a participating Locality or the James City Service Authority. To conform to local government charter and Virginia Code requirements, the funding provisions of this Agreement will be subject to annual renewal.
6. Signatories may terminate this MOA without cause by providing written notice to the HRPDC. Thereafter, the MOA remains effective until the start of the following HRPDC fiscal year when program budgets will be adjusted to account for changes to MOA signatories.
7. Program costs will be allocated on a pro-rata basis among the signatory parties. The annual base buy-in per city, county, or service authority will be determined each year as part of the HRPDC Directors of Utilities Committee budget planning process. The balance of annual costs will be allocated according to the local share of regional population. The most current estimate of population, developed by the Weldon Cooper Center for Public Service, will be used as the population base for allocating program costs. Local contributions may be escalated annually to reflect program experience and projected HRPDC expenditures. Future private sector and non-Hampton Roads local government participation may provide financial support to the program according to a yet-to-be-determined formula, which will reflect annual program costs. The funding formula will be evaluated on a regular basis by the HRPDC Directors of Utilities Committee and may be adjusted to ensure its continued equitably.

## **HRPDC RESPONSIBILITIES**

Under the terms of this Agreement, the HRPDC is responsible for the following:

1. Conduct technical analyses of the impacts of groundwater withdrawals.
2. Respond equitably and in a timely fashion to requests from all signatory parties for analyses of the impacts of groundwater withdrawals. The time frame for responses will be based on experience and the complexity of individual cases.
3. Maintain a technical guidance document to determine the allocation of impact mitigation responsibilities among the signatory parties. From 1994 to 2015, this determination was based on application of the superpositioning methodology developed by the U.S. Geological Survey for the HRPDC. The methodology is described in Michael J. Focazio and Gary K. Speiran,

Estimating Net Drawdown for Episodic Withdrawals at Six Well fields in the Virginia Coastal Plain Aquifers, U.S. Geological Survey, Water Resources Investigation Report No. 93-4159, 1992. Beginning in 2016, the HRPDC staff began to apply an analysis approach using the U.S. Geological Survey Virginia Coastal Plain Groundwater Model. In 2023 the U.S. Geological Survey began using an updated version of the Virginia Coastal Plain Groundwater model, maintained by the Virginia Department of Environmental Quality Office of Water Supply and their groundwater modeling contractor, Aquaveo. The HRPDC technical guidance document will be updated as needed to address the use of the model and future model updates.

4. Provide report(s) documenting the results of the HRPDC technical analysis(es) to all signatory parties.
5. In any case where an aggrieved party appeals a local government mitigation determination, provide the HRPDC analysis to the mitigation panel, established under the local government's mitigation plan. However, the HRPDC will not serve as a member of the mitigation panel.
6. Provide other technical support, as requested, to the signatory parties for other groundwater analyses, including support for the development of local groundwater withdrawal permit applications and review of other proposed groundwater withdrawals that may impact groundwater resources in the Hampton Roads region.
7. On request, provide technical staff support, at cost, to signatory parties for data collection (field work), required by that signatory party's permit or mitigation plan, approved by the Virginia Department of Environmental Quality (State Water Control Board).
8. Take steps, in conjunction with the signatory parties, to involve private sector groundwater users in the Regional Groundwater Mitigation Program. Administrative procedures and financial arrangements for private sector and non-Hampton Roads local government participation will be developed in the future, but will reflect the actual cost of the work.
9. Support long term efforts to consider aquifer recharge in groundwater modeling analyses

#### **LOCAL GOVERNMENT RESPONSIBILITIES**

Under the terms of this Agreement, the signatory parties are responsible for the following:

1. Serve as the initial point of contact for aggrieved parties. Request mitigation

analysis(es) from HRPDC in a timely fashion following receipt of a claim.

2. Provide any locally generated/collected data on groundwater conditions and well construction that may be useful to HRPDC technical analysis(es).
3. Provide, in a timely fashion, all technical supporting data required by Mitigation Plans, approved by the Virginia Department of Environmental Quality (State Water Control Board) as elements of Groundwater Withdrawal Permits, to the HRPDC for use in analyses of mitigation claims.
4. Provide a timely technical review of the HRPDC analysis(es) and conclusions.
5. Support HRPDC efforts to expand the mitigation program to cover all groundwater uses.
6. Support long term efforts to consider aquifer recharge in groundwater modeling analyses
7. Establish the appropriate mitigation panels, in accordance with local mitigation plans, to hear appeals of initial mitigation responsibility determinations.

## **PROCEDURE FOR REQUESTING MITIGATION ANALYSES**

Under this Memorandum of Agreement, the following process will be followed to request HRPDC technical support to address mitigation claims.

1. Aggrieved party contacts the locality where the groundwater well is located.
2. The local government contacts the HRPDC and requests that an impact analysis be conducted. In addition, any signatory parties may request that an impact analysis be undertaken.
3. The HRPDC conducts the analysis, as requested, and advises all signatory parties of the results of the technical analysis(es).
4. This procedure may be modified from time to time with the concurrence of all signatory parties, as represented by the HRPDC Directors of Utilities Committee, in order to improve the efficiency of the mitigation process.

## **SIGNATORIES**

This Memorandum of Agreement will be executed by the Chief Administrative Officer of each participating local government or service authority and by the Executive Director of the HRPDC. Individual signatory pages are included for each participating locality.

CITY OF CHESAPEAKE  
CITY OF FRANKLIN  
CITY OF HAMPTON  
CITY OF NEWPORT NEWS  
CITY OF NORFOLK  
CITY OF POQUOSON  
CITY OF PORTSMOUTH  
CITY OF SUFFOLK  
CITY OF VIRGINIA BEACH  
CITY OF WILLIAMSBURG  
COUNTY OF GLOUCESTER  
COUNTY OF ISLE OF WIGHT  
COUNTY OF SOUTHAMPTON  
COUNTY OF YORK  
JAMES CITY SERVICE AUTHORITY  
TOWN OF SMITHFIELD  
HAMPTON ROADS PLANNING DISTRICT COMMISSION

**IN WITNESS THEREOF**, the Chief Administrative Officer of the local governments and service authority and the Executive Director of the Hampton Roads Planning District Commission hereby execute this Agreement.

**CITY OF SUFFOLK**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Consent Agenda** – An ordinance to add the Legal Intern (Part-Time) position to the City of Suffolk Compensation Plan

Attached, for Council's consideration and approval, is an ordinance adding a Legal Intern (Part-Time) position to the Compensation Plan.

**RECOMMENDATION:**

Adopt the attached ordinance.

**ATTACHMENT:**

Ordinance

**ORDINANCE NUMBER**

**AN ORDINANCE TO ADD THE LEGAL INTERN (PART-TIME)  
POSITION TO THE CITY OF SUFFOLK COMPENSATION PLAN**

WHEREAS, Section 66-41 of the Code of the City of Suffolk provides the definition of the compensation plan and;

WHEREAS, Section 66-42 of the Code of the City of Suffolk requires the Council to consider and approve the addition of new positions to the Compensation Plan.

WHEREAS, the City Attorney's Office submits for consideration the addition of a new position, Legal Intern (Part-Time) to provide support to the City Attorney's Office.


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

1. The position of Legal Intern (Part-Time), grade G218, is hereby approved as part of the FY 2025-2026 Classification and Compensation Plan.
2. This Ordinance shall be effective on May 20, 2026, and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney



## City of Suffolk Legal Intern (Part-Time) (Proposed)

<b>Class Spec Code</b>	TBD011	<b>Established Date</b>	04/30/2026
		<b>Effective</b>	04/30/2026
<b>Salary Range</b>	\$36.89 - \$58.03 Hourly	<b>Bargaining Unit</b>	GEN
	\$76,736.00 - \$120,706.00 Annually		
<b>EEO</b>	EEO1- Administrative Support Workers	<b>Occupational Group</b>	Administrative Support
<b>FLSA</b>	Non-Exempt	<b>Benefit Code</b>	GEN
<b>Physical Class</b>	2		

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### Job Summary

Under general supervision, the Legal Intern performs professional work for the Office of the City Attorney. Duties include drafting legal pleadings, reviewing correspondence, conducting legal research, and drafting legal memoranda.

The Legal Intern must exercise tact, courtesy, and discretion in frequent contact with attorneys, City officials, City staff, court personnel, judges, and the public.

Reports to the Deputy City Attorney.

*To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.*

### Essential Job Functions

Reviews legal correspondence from the Courts and attorneys.

Conducts legal research on various issues including child welfare, conflict of interest law, eminent domain, employment, freedom of information, procurement, and zoning law.

Drafts legal pleadings, motions, and memoranda.

Assists attorneys in preparation of child welfare, litigation, and zoning cases.

Attends meetings for City Council, City departments, boards, and commissions as needed.

Communicates with supervisor, department employees, other departments, and other individuals as needed to coordinate work activities, review status of work, exchange information, or resolve problems.

Performs other related duties as required.

### **Required Qualifications**

Juris Doctor degree from an accredited law school.

Valid Driver's License.

*Preferred Qualification:* Sits for the July 2026 Virginia Bar Exam.

### **Knowledge, Skills & Abilities**

Knowledge of Virginia law pertaining to the operations, authority and responsibilities of municipal government.

Knowledge of the principles and procedures of civil law, especially as related to municipal government.

Knowledge of municipal government structure and operations.

Knowledge of legal research and investigation methodology, judicial procedure, and rules of evidence.

Knowledge of the current literature, trends and developments in the field of municipal law.

Knowledge and proficiency with computers and related software programs.

Skilled in civil litigation and legal writing.

Ability to interpret and apply laws and court decisions, and to use legal source material in technical research.

Ability to express ideas effectively, orally and in writing.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

Ability to compare and/or judge the readily observable, functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people or things.

Ability of speaking and/or signaling people to convey or exchange information. Includes receiving assignments and/or directions from superiors.

Ability to read, comprehend, and interpret caselaw, ordinances, regulations, and statutes.

Ability to read a variety of reports, letters, and memos, contracts, deeds, ordinances, resolutions, legal briefs, etc. Requires the ability to prepare correspondence, reports, contracts, deeds, legal briefs, ordinances, resolutions, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style.

Ability to speak before groups of people with poise, voice control and confidence.

Ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including legal, engineering, medical and tax terminology.

### **Performance Evaluation Criteria**

Quality of Work

Quantity of Work

Dependability

Attendance

Initiative and Enthusiasm

Judgment

Cooperation

Relationships

Coordination of Work

Safety

### **Physical Requirements**

Must be physically able to operate tools such as pens, pencils, and a variety of automated office machines, including a personal computer, copier, telephone, facsimile machine, etc. Must be able to exert a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects.

Sedentary work involves sitting most of the time, but may involve walking or standing for periods of time. Requires the ability to coordinate hands and eyes rapidly and accurately in using automated office equipment. Requires the ability to handle a variety of items, office equipment, control knobs, switches, etc.

Must have minimal levels of eye/hand/foot coordination. Requires the ability to differentiate between colors and shades of color. Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under minimal levels of stress when confronted with an emergency. Requires the ability to talk and/or hear: (talking: expressing or exchanging ideas by means of spoken words; hearing - perceiving nature of sounds by ear).

### **FLSA Status**

Non-Exempt

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to rezone and amend the official zoning map of the City of Suffolk for property zoned PD, Planned Development Overlay Zoning District, in order to amend the planned development master plan for property located at 1015 South Hillpoint Boulevard, Zoning Map 26F(1B), Parcel C, Account Number 253215400; RZN2024-015 (Conditional)

Attached for your consideration is information pertaining to Rezoning Request RZN2024-015 (Conditional), Hillpoint Trace Phase 2, submitted by C.J. Tyree, Taft Mills Group, LLC, applicant, on behalf of Jerry L. Bowman, Trustee, property owner, in accordance with Section 31-304 and 31-305 of the Unified Development Ordinance, to rezone and amend the official zoning map of the City of Suffolk for property zoned PD, Planned Development Overlay Zoning District, in order to amend the planned development master plan for the property located at 1015 South Hillpoint Boulevard, Zoning Map 26F(1B), Parcel C. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned PD, Planned Development Overlay District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Traditional Neighborhood Land Use Type.

This application was originally scheduled to be considered by the Planning Commission on February 17, 2026. On February 16, 2026, the applicant's agent, Brian Layne, requested, on behalf of the applicant, a 90-day deferral of consideration of this request. Therefore, this application was considered by the Planning Commission at a public hearing at its April 21, 2026, meeting.

The Planning Commission, at its April 21, 2026, meeting, voted 6-1 to approve a resolution recommending **denial** of this request. Therefore, this item is presented to City Council with a recommendation of denial from the Planning Commission.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning/Land Use Map
- Hillpoint Trace – Phase 2 Site Exhibit
- Hillpoint Trace – Phase 2 Connectivity Plan
- Hillpoint Trace – Phase 2 Rezoning Narrative Description
- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A - Planning Commission Resolution
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Property Map
- Exhibit D – Rezoning of Hillpoint Trace – Phase 2 - Rezoning Exhibit
- Exhibit E – Hillpoint Trace – Phase 2 – Elevations
- Exhibit F – Hillpoint Farms Revised Master Plan

# STAFF REPORT

## DESCRIPTION

**REZONING REQUEST:** Rezoning Request, RZN2024-015 (Conditional), Hillpoint Trace Phase 2, a request to amend the zoning of PD, Planned Development Overlay Zoning District, on a portion of a property located at 1015 South Hillpoint Boulevard, Zoning Map 26F(1B), Parcel C, for the purpose of amending the planned development master plan for Hillpoint Farms to permit the development of 79 affordable multifamily units.

**APPLICANT:** C.J. Tyree, Taft Mills Group, LLC, applicant, on behalf of Jerry L. Bowman, Trustee, property owner.

**LOCATION:** The subject property is located on South Hillpoint Boulevard, near the intersection with Godwin Boulevard. The subject property is part of the Hillpoint Farms master planned development.

**PRESENT ZONING:** The subject property is currently zoned PD, Planned Development Overlay Zoning District and is reserved for commercial uses. The property is approximately 8 acres total, of which approximately 5.2 acres are subject to this rezoning request.

**EXISTING LAND USE:** As previously stated, the property is part of the Hillpoint Farms master plan, it is zoned PD, Planning Development Overlay Zoning District, and is designated as a “Commercial” parcel within this master plan. The parcel is currently wooded and undeveloped with 0.1 acres of non-tidal wetlands on the property.

**PROPOSED LAND USE:** The applicant proposes to rezone 5.2 acres of the subject property (8 acres total) in order to amend the Hillpoint Farms master plan by changing the designated land use from “Commercial” to “Traditional Neighborhood Use (Apartments)” to allow the development of 79 affordable multifamily units for households earning 80% of the area median income (AMI) or less. The remainder 3-acre portion of the 8-acre subject property will be reserved for commercial development.

## **SURROUNDING LAND USES:**

- North: Vacant property and the construction site for the Hillpoint Trace 1 zoned PD, Planned Development Overlay Zoning District.
- South: Vacant land and commercial uses zoned MUD, Mixed Use Development Overlay Zoning District.
- East: The Hillpoint Woods Apartments zoned PD, Planned Development Overlay Zoning District.
- West: The Port 58 Apartments and Suffolk Pediatrics (medical offices) zoned PD, Planned Development Overlay Zoning District.

**COMPREHENSIVE PLAN:** The City’s 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Traditional Neighborhood Land Use Type.

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

**FLOOD PLAIN:** The property lies within Flood Zone X, as shown on Panel No. 5101560112E, dated August 3, 2015, and Panel No. 5101560114E, dated August 3, 2015, of the Flood Insurance Rate Map (FIRM) for the City of Suffolk, Virginia.

**CASE HISTORY:** The subject property is part of the Hillpoint Farms Planned Development, which was initially approved by City Council in 1986, through rezoning request RR-13-86. In 1997, the master plan was amended, which reduced the original planned total residential units from 2,448 to 1,813. In 1999, the City adopted the current Unified Development Ordinance with new regulations for PD zoning. Section 31-404 allows existing PD development to be governed by the ordinance that was in effect at the time of their creation. As such, the Hillpoint Farms master plan is governed by the rules and regulations found within the City of Suffolk's Zoning Ordinance adopted in 1976.

In October 2016, City Council approved a request through Ordinance No. 16-O-104 to change the zoning of 37.65 acres within the Hillpoint Farms Planned Development Overlay District from PD, Planned Development Overlay District to RU, Residential Urban zoning district for the construction of 193 single-family residential dwellings. These dwellings are included and accounted for within the total 1,813 dwelling units allowed in the amended PD zoning district.

In December 2019, through Ordinance No. 19-O-127, City Council approved an amendment to the master plan to facilitate the transfer of 230 multi-family residential units from Parcel H to Parcel B. At the time of the request, Parcel H was approved for 394 multi-family units while Parcel B was designated for office/commercial use.

In September 2021, through Ordinance No. 21-O-102, City Council approved another amendment of the master plan to modify the location and amount of previously approved residential, recreational, and active and passive open space land uses for Parcel S\*6, the Nansemond River Golf Course. The rezoning allowed for the designation of the golf course to be changed to low-density residential (4 units per acre) in order to allow the construction of no more than 195 homes on the previous golf course parcel.

Finally, on March 15, 2023, City Council approved an amendment to the Hillpoint Farms master plan through Ordinance No. 23-O-035 to modifying the proposed use for Parcel E from a hotel to multi-family residential for the construction of 75 affordable multifamily units.

The parcel subject to this rezoning request is currently designated for commercial uses, and was platted to its property boundaries on June 11, 2010 through Instrument number 100073170.

Prior to the Planning Commission's February 16, 2026 meeting, the applicant requested consideration of the item be deferred. Subsequently, the Commission approved a motion to defer consideration of the request to their April 21, 2026, meeting.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the

applicable provisions of the Unified Development Ordinance. A notice, containing a copy of the staff report, was also provided to the applicant on April 17, 2026, and May 15, 2026.

## STAFF ANALYSIS

### ISSUE:

The applicant is proposing to conditionally rezone a portion of the subject property, 5.2 acres, which is currently zoned PD, Planned Development Overlay Zoning District, to amend the master plan, which currently designates the entirety of the subject property for commercial uses. The proposed master plan amendment will redesignate a 5.2-acre portion of the subject parcel for Traditional Neighborhood/Apartments Use to permit the construction of affordable multifamily units. With this rezoning request, the applicant and property owner are also proposing new proffered conditions applicable to the subject property. While a rezoning action is required for City Council to accept new proffers and modify the master plan, please note that the applicant and property owner are not proposing to change the current PD zoning designation for the property.

The applicant aims to develop 79 affordable multifamily units, which will be reserved for households earning 80% of the area median income (AMI) or less, in the area subject to this rezoning request, and retain approximately 2.8 acres for parking, loading, and commercial uses. The proposed development would yield 15.49 units per acre (since there are 5.1 acres of developable area on the property), which is close to the maximum density allowed for the Hillpoint Farms master plan of 16 units per acre.

In the attached Voluntary Proffer Statement, the applicant is proposing a total of seven proffered conditions (see Exhibit B):

- In proffer #1, the applicant is pledging that the property will be developed as 79 multifamily units, with a density that shall not exceed 16 units per acre, as limited by the Hillpoint Farms master plan.
- In proffer #2, the applicant states that all units shall be affordable to households earning 80% of the area median income (AMI) or less for a minimum 30-year term from the date of issuance of a Certificate of Occupancy (C.O) on the property.
- In proffer #3, the applicant commits to contribute Eight Hundred Twenty-Three Thousand One Hundred Nineteen Dollars (\$823,119) to advance capacity for the current student deficits in Hillpoint Elementary School and Kings Fork High School. The students generated by this development will be six (6) High School students and thirteen (13) Elementary students. The Capitol Improvements Program (FY 2025-2034) will allow cash proffers to be paid to advance capacity. Based upon the estimated cost to advance capacity at the elementary school level, a contribution of \$35,900 per student would be required, and to advance capacity at the High School level \$59,402.09 per student would be required. The applicant shall make a cash contribution of Four Hundred Eleven Thousand Five Hundred Fifty-Nine Dollars and 50 Cents (\$411,559.50) per building (2 buildings) and shall be paid prior to the issuance of a Certificate of Occupancy.
- In proffer #4, the applicant states that they will provide frontage improvements for the width of the subject parcel along South Hillpoint Boulevard, including streetlights and

sidewalks.

- Proffer #5, the applicant agrees that the buildings shall be substantially consistent with the building elevations on file with the Planning Department and dated 10/23/25. The exterior of the buildings shall be at least 50% brick veneer and cementitious board (such as Hardi-Plank). The development shall contain an interior exercise room and an outdoor active area.
- Proffer #6 states that the applicant will provide an access road connection for the future extension to Commercial Lane (in the vicinity of the subject property), which includes a looped waterline connection with a public utility easement – both to be finalized before the issuance of a C.O.
- Proffer #7, the applicant pledges to provide the necessary upgrades to Pump Station #41 to mitigate the sanitary sewer capacity deficit for the proposed development.

## **CONSIDERATIONS AND CONCLUSIONS**

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance, rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. The applicant has provided a narrative as a part of this request, which outlines the applicant's reasons for seeking the rezoning.

In their narrative, the applicant states that while the undeveloped subject property was master planned over 30 years ago as a commercial site, it currently lends itself to Traditional Neighborhood use, thus matching the 2045 Comprehensive Plan, rather than an exclusively commercial site. Therefore, the applicant proposes to develop two buildings, which will yield 79 affordable units, at a density of 15.61 units per acre.

The applicant also reasons that such affordable housing would align with the existing uses in the vicinity of the subject property and would especially align with Virginia Housing's (VHDA) approved affordable housing development that is currently being developed north of the subject property (Hillpoint Trace 1). Additionally, the applicant states that they recognize the current designation of the entirety of the subject parcel as commercial in the Hillpoint Farms master plan, and therefore, the property owner is proposing to reserve approximately 3 acres of the parcel for future commercial and parking use.

### **1. Comprehensive Plan**

According to the 2045 Comprehensive Plan, the subject property is designated as Traditional Neighborhood Land Use Type. The intent of the Traditional Neighborhood Land Use Type is the following:

- Provide single-family housing options that accommodate a range of family sizes and preferences.
- Allow residential infill that fits in with neighboring homes (building scale, placement, etc.).
- Encourage integrated neighborhoods through shared open space amenities and vehicular and pedestrian connectivity, where feasible.

- Provide vehicular and pedestrian connections to adjacent neighborhoods where feasible.
- Promote historic preservation efforts to maintain the existing neighborhood character of historic districts.
- Support neighborhood-scale commercial uses located at the edges of a neighborhood.
- Consider allowing higher density residential development than that prescribed in the 2045 Comprehensive Plan in certain areas of this Future Land Use Type where transportation corridors and infrastructure are already established and where the proposed use is compatible with adjacent uses and the established development pattern.

Applicable zoning districts for Traditional Neighborhood Land Use Type include Residential Compact (RC), Residential Medium Density (RM), Residential Urban (RU), Mixed Use Development Overlay (MUD), and Planned Development Overlay (PD). Primary uses include single-family detached and single-family attached dwellings. Secondary uses include retail, personal services, restaurant, office, civic (such as schools, houses of worship, parks/open space). The target density range is 4 to 10 dwelling units per acre.

The current PD, Planned Development Overlay Zoning District designation, aligns with the 2045 Comprehensive Plan, since PD is one of the applicable zoning districts. However, for the Traditional Neighborhood Land Use Type, the 2045 Comprehensive Plan calls for primary uses that are mainly single-family. Hence, the proposed multifamily development does not align with what is identified as most appropriate for the Traditional Neighborhood Land Use Type within the 2045 Comprehensive Plan. While there is a misalignment between what is being proposed and the guidance of the 2045 Comprehensive Plan, staff recognize that there are multifamily uses already established within the Hillpoint development, and the proposed multifamily development is compatible with the prevailing development pattern in the vicinity.

The proposed multifamily development also aligns with a purposeful intention set by the 2045 Comprehensive Plan, where higher-density residential developments can be allowed in certain areas designated as Traditional Neighborhood Land Use Type, “where transportation corridors and infrastructure are already established, and where the proposed use is compatible with adjacent uses and the established development pattern”.

As proposed on the conceptual layout, for 5.1 acres of net developable area, 79 units would yield a density of 15.49 units per acre. The proposed density does not align with the 4 to 10 units per acre set by the 2045 Comprehensive Plan for the Traditional Neighborhood Land Use Type; however, it is aligned with the density maximum of 16 units per acre set in the Hillpoint Farms master plan.

The 2045 Comprehensive Plan sets specific themes and policies related to land use, transportation, open space, and the environment that should be considered when contemplating a rezoning application. Relevant to this application are the following:

**Objective L.1: Focus development in designated Growth Areas and promote development that is consistent with the Future Land Use and Growth Areas Map.**

- *Action L.1.1: Review development proposals for consistency with the Future Land Use and Growth Areas Map, the Future Land Use Types described and mapped in this chapter, and the Guiding Values, Land Use Principals, Objectives and Actions adopted in this plan.*

As previously stated, the 2045 Comprehensive Plan outlines PD as one of the applicable zoning districts for the Traditional Neighborhood Land Use Type. The applicant is proposing to maintain the PD designation within the Hillpoint Farms master plan, but it is proposing to change the identified use for the subject parcel from solely commercial to primarily residential. This change does not align with the primary uses set by the 2045 Comprehensive Plan, which calls for single-family detached and attached. The proposed density of 15.49 units per acre also conflicts with the 2045 Comprehensive Plan's expected density for Traditional Neighborhoods, which sets the limit at 10 units per acre.

The proposed development aligns in some respects with the intent and form of the Traditional Neighborhood Land Use Type, specifically with the intent that calls for higher density in areas where transportation corridors and infrastructure are already established, and where the proposed use (multifamily) is compatible with adjacent uses. The proposed development also aims to offer multiple unit typologies options, and therefore accommodate different tenant compositions (for instance, one individual or families with children) by providing 36 units with three bedrooms, and 43 units with two bedrooms.

However, staff believe that the proposed concept does not align with all dimensions of the expected primary uses, particularly with key features of the Traditional Neighborhood Land Use Type. For instance, it does not provide single-family housing options, either attached or detached, thus it presents a development that is less diverse than desired with regard to housing (structure) typologies. At the same time, by re-designating the primary planned use from commercial to residential, the applicant does not clarify how commercial development will be actualized within the overall planned development to conform to the initial intent of the Hillpoint Farms master planned development nor justify how the proposed additional residential development will create critical mass to support future neighborhood-scale commercial uses located at the edges of the neighborhood.

While the proposed conceptual layout provides shared access to the commercial portion to the north, as well as a sidewalk connection to this commercial area, the layout does not directly connect to the future Hillpoint Trace 1. Simultaneously, it sets the buildings away from the existing *Hillpoint Trace 1* affordable units to the north of the subject parcel, thus isolating the 79 affordable units envisioned for the site. While an exterior sidewalk connection along Hillpoint Boulevard South and Hillpoint Boulevard is adequate, it is the staff's opinion that both Hillpoint Trace 1 and Hillpoint Trace 2 would work best if connected internally. This connection could be pedestrian-only or both vehicular and pedestrian. A pedestrian trail to the east, along the central stormwater management facility (SWMF), could offer the needed connectivity and a positive recreational opportunity. At the same time, the proposed layout does not show a direct connection between both the Hillpoint Trace 2 and the proposed commercial/office area and Hillpoint Trace 1 – the

parking lot ends and flows north to Hillpoint Boulevard. These factors do not fulfill the intent set for the Land Use Type that calls for integrated neighborhoods through shared open space amenities and vehicular and pedestrian connectivity, and vehicular and pedestrian connections to adjacent neighborhoods to the north/northeast of the subject property.

While proposed multifamily use and density can be considered adequate in some respects, the reduction of the commercial use space and its impact on the Hillpoint Farms community are not clearly mitigated in this proposal. There is no guarantee that the approximately 3 acres reserved for commercial use can be sustainable on its own, and that the reserved commercial area can fulfill the intended commercial goals for the overall PD. Additionally, while other multifamily uses are already established in the vicinity, the proposed layout of the 79 multifamily units does not guarantee a clear and pedestrian-friendly integration and connectivity with other existing residential uses.

**Objective L.2: Promote predictable and orderly development.**

- *Action L.2.3: Promote master planned developments on certain sites.*
- *Action L.2.5: Continue to promote and encourage mixed-use and planned developments throughout the City in appropriate use districts, understanding that use districts consist of a variety of primary and secondary uses.*

While this application is a rezoning request, the property will remain within the Hillpoint Farms master plan and its PD zoning designation. The request is to re-designate the majority of the subject parcel (5.1 acres of 8 acres) in the master plan from commercial to residential. This will decrease the amount of available acreage for commercial development that was previously provided in the Hillpoint PD master plan.

The proposed layout offers some insights into what a future commercial development in the commercial portion could look like. The commercial areas between Hillpoint Trace 2 and Hillpoint Trace 1 show a proposed commercial/office area with approximately 30,500 square feet of floor area and parking. However, it is not clear when and who will occupy such commercial/office area, nor how a change from commercial to residential designation will impact the commercial integration of the master planned area. It is also not clear how the 79 proposed units will contribute/or remediate the loss of commercial area within the overall planned community beyond providing potential housing for incoming workers who could potentially work at businesses in the vicinity.

Whereas staff recognizes the applicant's effort to include commercial surface in the project, the proposed contribution to the whole planned development does not provide the full envisioned balance between commercial uses, residential uses, and pedestrian-friendly built environment, thus negatively impacting the general mixed-use character of the master plan. A true mixed-use proposal would propose a design and justification as to how the proposed master plan amendment accomplishes the goals set by the 2045 Comprehensive Plan, and mitigates the loss of the commercial designated area.

**Objective L.3: Promote a balance of residential and non-residential land uses.**

- *Action L.3.1: Adjust residential density range targets within Use Districts to better*

*align with recent trends and market demands.*

- *Action L.3.2: Continue to develop implementation tools that will help achieve an appropriate jobs-to-housing ratio.*
- *Action L.3.3: Develop guidelines for inclusion of affordable housing units for moderate-income workforce housing as part of mixed-use developments.*

The applicant is proposing to develop 79 affordable units on 5.1 acres of buildable area in the subject property. Within the applicant's narrative provided with this application, the property owner clarifies that they will file with the Virginia Housing (VHDA) for site approval, as it is proposed that rental rates shall be affordable to households earning 80% of the area median income or less. The addition of affordable housing is a positive contribution to the existing housing stock in the City of Suffolk. The inclusion of diverse types of units with one, two, and three bedrooms is an important characteristic that sets the development to accommodate different types of tenants, family composition, and different income levels within the affordable qualifying income bracket.

The applicant is proposing a density of 15.49 units per acre. As previously mentioned, the Traditional Neighborhood Land Use Type suggests a density of 4 to 10 units per acre; however, the Hillpoint Farms allows for a maximum of 16 units per acre. The difference between the proposed density and the 2045 Comprehensive Plan is significant but note that the 16-unit-per-acre density was part of the initial design and approval of the Hillpoint Farms master plan and is appropriate given the context of the master plan.

It is the staff's opinion that the chosen location for these 79 affordable units, and the lack of direct connection and cohesive flow with Hillpoint Trace 1, might lead to a concentration of isolated affordable housing in a rather small acreage of the Hillpoint Farms master plan. This can produce negative socioeconomic and land use impacts by mutually aggregating lower-income households on a few parcels while isolating them from other neighborhoods and commercial opportunities.

**Objective L.4: Promote compatibility in land use patterns and encourage the creation of quality places.**

- *Action L.4.1: Continue to develop new and expand existing incentives that encourage mixed-use development.*
- *Action L.4.3: Promote higher density residential development where growth is well supported by existing infrastructure.*

The proposed development consists of 79 proposed affordable units, divided into two multifamily buildings. To the west, east, and north of the proposed project, there are established multifamily developments and one affordable multifamily housing development that is currently under construction. The proposed development is mostly situated towards the south of Tax Map 26F(1B)\*C, and has a proposed connection to Commercial Lane, which connects the proposed development to some commercial uses to the south of the parcel.

While there is already a connection to the commercial uses to the south, the proposed layout does not offer a natural transition and an internal connection to the multifamily parcels to

the north at Hillpoint Trace 1. The proposed layout shows a potential commercial/office development to the north of the 79 units, inclusive of parking, but it does not connect directly to Hillpoint Trace 1, thus leaving the approximately 3-acre residual commercial area in limbo, which breaks the use pattern established within this area of the Hillpoint Farms master plan.

Another challenge arises regarding the Comprehensive Plan objective of creating quality places. By changing the primary use of the subject property from commercial to residential, the Hillpoint Farms master plan will lose acreage that could be allocated for commercial. Additionally, the conceptual layout plan demonstrates no shared amenities or space that lends itself to the development of “third spaces”, which are shared social environments outside of one’s home and work that serve as an anchor for a community. The proposed amendment to the master plan impacts the character of the planned development as initially envisioned as a mixed-use plan, and therefore, the removal of commercial acreage might negatively impact the mixed-use character and the quality of the overall development.

## **2. Unified Development Ordinance**

As the currently approved Master Plan for the Hillpoint Farms Planned Development illustrates, the built-out of the development is capped at 1,813 residential units. To date, the total of 1,813 units have been constructed, are under construction, or have been accounted for through the approved development plan or through anticipated development plan submittal. The proposed 79 units in this application would be additional to the 1,813 units already developed or in the development stage. In accordance with Article 4, Section 31-404(d)(2)(B), *“If a property is zoned “PD” or “PD-H” at the time of adoption of this Ordinance, it shall remain subject to all terms, conditions, and restrictions of approval under the Zoning Ordinance in effect when the PD or PD-H classification was approved, including any specific modifications of the then-existing PD or general regulations, and any approved final plans, unless and until the zoning classification of such property is amended pursuant to this Ordinance.”* As such, the Master Plan for the Hillpoint Farms Planned Development is governed by the regulations found within the UDO’s predecessor, the City’s Zoning Ordinance, which was published in 1976. Section 31-520 of this Zoning Ordinance provides for a substantial change to an approved development following public hearing and approval by City Council upon receipt of a recommendation from the Planning Commission.

In review of the regulations established for the creation of Planned Developments within the 1976 Zoning Ordinance, it was revealed that Planned Developments were allotted a great deal of flexibility in design as it relates to their establishment, with the master plan itself being the ultimate document that controls development within these communities. Staff has reviewed the City’s previously adopted Zoning Ordinance as it relates to this request. With this request, the applicant is proposing to establish an additional 79 units with a maximum density of 15.49 units per acre, which is consistent with the maximum permitted density within the Hillpoint Farms Planned Development (16 units per acre).

### 3. Adequate Public Facilities

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts and that each public facility meets or exceeds the Level of Service standards established by the 2045 Comprehensive Plan and the Unified Development Ordinance. No rezoning request should be approved that would cause a reduction in the levels of service standards for any public facility impacted.

#### Public Water and Sanitary Sewer

City water and sewer are available to the site, and as part of the Volunteer Proffer Statement, the applicant is pledging to do all the necessary upgrades to Pump Station #41 to mitigate the capacity deficit for the proposed development. The Department of Public Utilities has no objections to the rezoning application at this time.

#### Stormwater Management

The Department of Public Works' Engineering Division has reviewed the request and currently has concerns regarding the size of the proposed stormwater management facility located at the center of the parcel that would serve the proposed development. This Division stated that compliance with all regulations related to stormwater will be required to be demonstrated at the time of development plan review.

#### Transportation

The applicant submitted a Traffic Impact Memorandum, prepared by EPR, P.C., dated January 14, 2026. This memorandum explains that "access is proposed via shared access with the existing CHKD access, plus a right-out-only partial access on South Hillpoint Boulevard. In addition, the site is designed to facilitate future access to the adjacent parcel in the rear of the property to provide a connection to the Commercial Lane cul-de-sac (ultimately providing another potential connection to Godwin Boulevard)." The 79 multifamily units are expected to generate 532 daily trips, with 32 trips taking place at the morning (AM) peak hour, and 40 in the evening (PM) peak hour. This document also elaborates further on the use of the residual commercial parcel: if a 10,000 square foot office space were to be developed on that parcel, that office would generate 108 daily trips, with 15 trips taking place at the AM peak hour, and 14 trips at the PM peak hours. The 79 apartments combined with the 10,000 square foot office space would generate 640 daily trips, with 47 trips taking place at the AM peak hour, and 54 taking place at the PM peak hour.

The Department of Public Works' Traffic Engineering Division reviewed the Traffic Impact Memorandum submitted in support of this application and has accepted its findings. While Traffic Engineering is recommending approval of this request, this Division requests that future development plans (at the site plan phase) show a "right in" and "right out" access point, as well as that shared access is shifted inward on the northern access point to Hillpoint Boulevard South.

As outlined in the Voluntary Proffer Statement, in proffer number #4, the applicant pledges to provide frontage improvements for the width of the subject parcel along South Hillpoint Boulevard, including streetlights and sidewalks. In proffer number #6, the applicant pledges to provide an access connection for the future extension to Commercial Lane, to be completed before the issuance of a Certificate of Occupancy.

#### Schools

Students generated by the proposed development are currently assigned to Kings Fork High School, Kings Fork Middle School, and Hillpoint Elementary School, of which the Elementary and High School currently have capacity deficits. The applicant has proffered a maximum of 79 (affordable) residential units. In accordance with Section 31-601 of the UDO, a development consisting of 79 multi-family units would generate thirteen (13) elementary school students, seven (7) middle school students, and six (6) high school students. Typically, cash contributions towards the advancement of school capacity may be accepted by the City Council. To properly mitigate impacts at the elementary school level, a total cash contribution of \$466,707.15 total, or \$5,907.69 per dwelling unit, or \$35,900.55 per student, would be appropriate. To properly mitigate impacts to the high school level, a total cash contribution of \$356,412.54 total, or \$4,511.55 per dwelling unit, or \$59,402.09 per student, would be sufficient to address the impacts directly attributable to the proposed use.

The applicant is proffering a cash contribution of \$823,119 total, or \$411,559.50 per building, to advance capacity for the Hillpoint Elementary School and Kings Fork High School. Per the applicant, this contribution shall be paid before the issuance of a Certificate of Occupancy. This is the amount necessary to advance school capacity required to serve future students generated by the development, and the proffered cash contribution does not satisfy the adequate public facilities requirements set in accordance with Section 31-601 of the UDO.

#### 4. Proffered Conditions

The applicant provides seven proffered conditions:

- In proffer #1, the applicant is pledging that the property will be developed as 79 multifamily units, with a density that shall not exceed 16 units per acre – as limited by the Hillpoint Farms master plan.
- In proffer #2, the applicant states that all units shall be affordable to households earning 80% of the area median income (AMI) or less for a minimum 30-year term from the date of issuance of a Certificate of Occupancy (C.O) on the property.
- In proffer #3, the applicant commits to contribute Eight Hundred Twenty-Three Thousand One Hundred Nineteen Dollars (\$823,119) to advance capacity for the current student deficits in Hillpoint Elementary School and Kings Fork High School. The students generated by this development will be six (6) High School students and thirteen (13) Elementary students. The Capitol Improvements Program (FY 2025-2034) will allow cash proffers to be paid to advance capacity. Based upon the estimated cost to advance capacity

at the elementary school level a contribution of \$35,900 per student would be required and to advance capacity at the High School level \$59,402.09 per student would be required. The applicant shall make a cash contribution of Four Hundred Eleven Thousand Five Hundred Fifty-Nine Dollars and 50 Cents (\$411,559.50) per building (2 buildings) and shall be paid prior to the issuance of a Certificate of Occupancy.

- In proffer #4, the applicant states that they will provide frontage improvements for the width of the subject parcel along South Hillpoint Boulevard, including streetlights and sidewalks.
- Proffer #5, the applicant agrees that the buildings shall be substantially consistent with the building elevations on file with the Planning Department and dated 10/23/25. The exterior of the buildings shall be at least 50% brick veneer and cementitious board (such as Hardi-Plank). The development shall contain an interior exercise room and an outdoor active area.
- Proffer #6 states that the applicant will provide an access road connection for the future extension to Commercial Lane (in the vicinity of the subject property), which includes a looped waterline connection with a public utility easement – both to be finalized before the issuance of a C.O.
- Proffer #7, the applicant pledges to provide the necessary upgrades to Pump Station #41 to mitigate the sanitary sewer capacity deficit for the proposed development.

## **RECOMMENDATION**

The proposed development offers the opportunity to develop 79 affordable units, which is an important housing need in the city. The proposed density is adequate within the Hillpoint Farms master plan density maximums. While affordable housing is a critical need, staff have concerns regarding the proposed design concept. Each rezoning request is evaluated on a case-by-case basis against the regulations outlined in the Unified Development Ordinance and the guiding values detailed in the 2045 Comprehensive Plan. Location, design, existing land use patterns, accessibility, and diversification of housing typologies are key considerations that have been carefully analyzed as they relate to this request.

Staff finds that this proposal does not meet all of the intents of the provisions of the 2045 Comprehensive Plan. It is also slightly misaligned with the mixed-use character of the Hillpoint Farms master plan. The proposed rezoning does not align with some key goals and objectives of the 2045 Comprehensive Plan. The Comprehensive Plan encourages the creation of quality mixed-use places within the Traditional Neighborhood Land Use Type, and the establishment of pedestrian and vehicular connections to adjacent neighborhoods, as well as support for neighborhood-scale commercial uses located at the edges of a neighborhood. The current proposal does not propose a direct and internal connection between the proposed 79 affordable units at Hillpoint Trace 2 and the units to the adjacent neighborhood to the north, Hillpoint Trace 1, nor does it connect those neighborhoods (to the north) to the commercial areas located to the south of the subject parcel. Therefore, the proposed development does not offer a cohesive, connected neighborhood pattern or continuity with the adjacent affordable housing development.

The conceptual plan proposes some amenities on the subject parcel, such as sidewalks, bike racks, and a picnic area. The narrative also refers to an *outdoor active area* without specifying what type of amenities will be included to frame it as an active space. The location of the proposed active

area is unknown on the plan. The site layout includes other amenities such as a picnic table shelter to the west of the development, as well as bike racks near building #1 and building #2.

The application does not lend itself to demonstrating the creation of “quality places” required by the 2045 Comprehensive Plan. For instance, the connection between the proposed development and Hillpoint Trace I is not guaranteed or provided, and instead is depicted merely in a conceptual fashion through the commercial component shown on the proposed layout plan. Note, the commercial component is not being developed at this stage, and it is unclear if or when it will be developed; thus, relying on improvements to eventually be constructed on the residual commercial parcel to conclude that the entirety of the development is cohesive and connected would not be correct. It is staff opinion that the inclusion of an internal trail system and an internal vehicular connection between all parcels could actively support the creation of “quality places” as set by the 2045 Comprehensive Plan.

The removal of the majority of the commercial designated area on the subject parcel in the context of the proposed development layout fails to address the mixed-use nature of the master plan, particularly as the Route 10/32 Godwin Boulevard corridor emerges and matures as an important and viable commercial market. While affordable housing is an important housing segment for the city, the current proposal still shows some areas that require improvement to provide an integrated layout and quality mixed-use community and housing solutions within the Hillpoint Farms master plan. Therefore, the staff recommends **denial of Rezoning Request RZN2024-015 (Conditional)**.

This application was originally scheduled to be considered by the Planning Commission on February 17, 2026. On February 16, 2026, the applicant’s agent, Brian Layne, requested, on behalf of the applicant, a 90-day deferral of consideration of this request. Therefore, this application was presented to the Planning Commission at its April 21, 2026, meeting.

The Planning Commission, at its April 21, 2026, meeting, voted 6-1 to approve a resolution recommending **denial** of this request. Therefore, this request is presented to City Council with a recommendation of denial from the Planning Commission. However, should City Council choose to approve this request, staff recommends City Council accept the applicant’s voluntarily proffered conditions as outlined in Exhibit “B”.

**Attachments:**

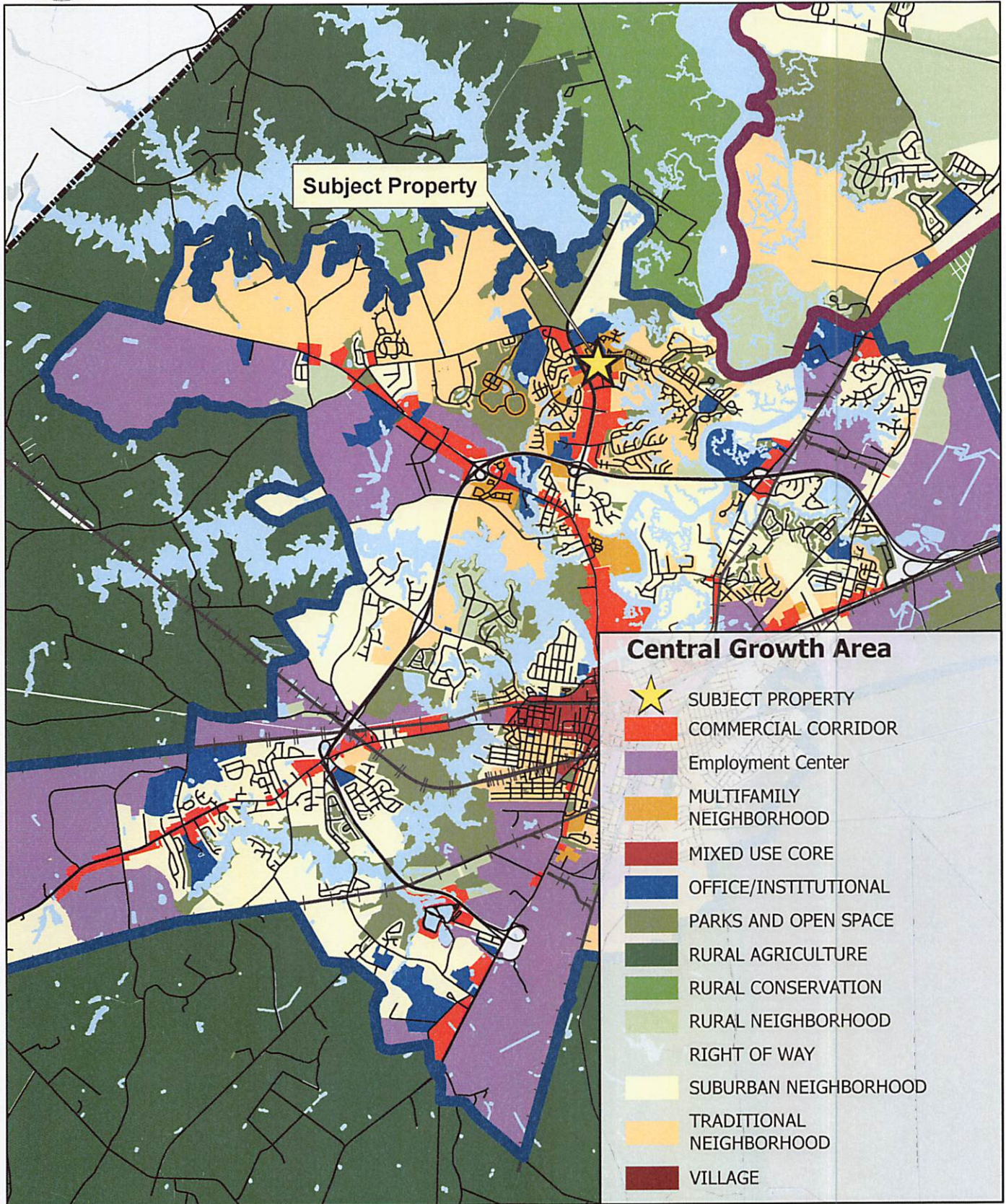
- General Location Map
- Zoning/Land Use Map
- Hillpoint Trace – Phase 2 Site Exhibit
- Hillpoint Trace – Phase 2 Connectivity Plan
- Hillpoint Trace – Phase 2 Rezoning Narrative Description
- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A - Planning Commission Resolution
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Property Map

- Exhibit D – Rezoning of Hillpoint Trace – Phase 2 - Rezoning Exhibit
- Exhibit E – Hillpoint Trace – Phase 2 – Elevations
- Exhibit F – Hillpoint Farms Revised Master Plan

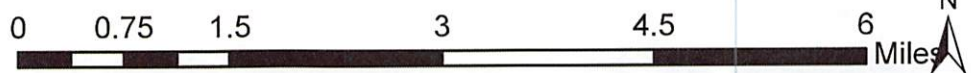


# GENERAL LOCATION MAP

## RZN2024-00015



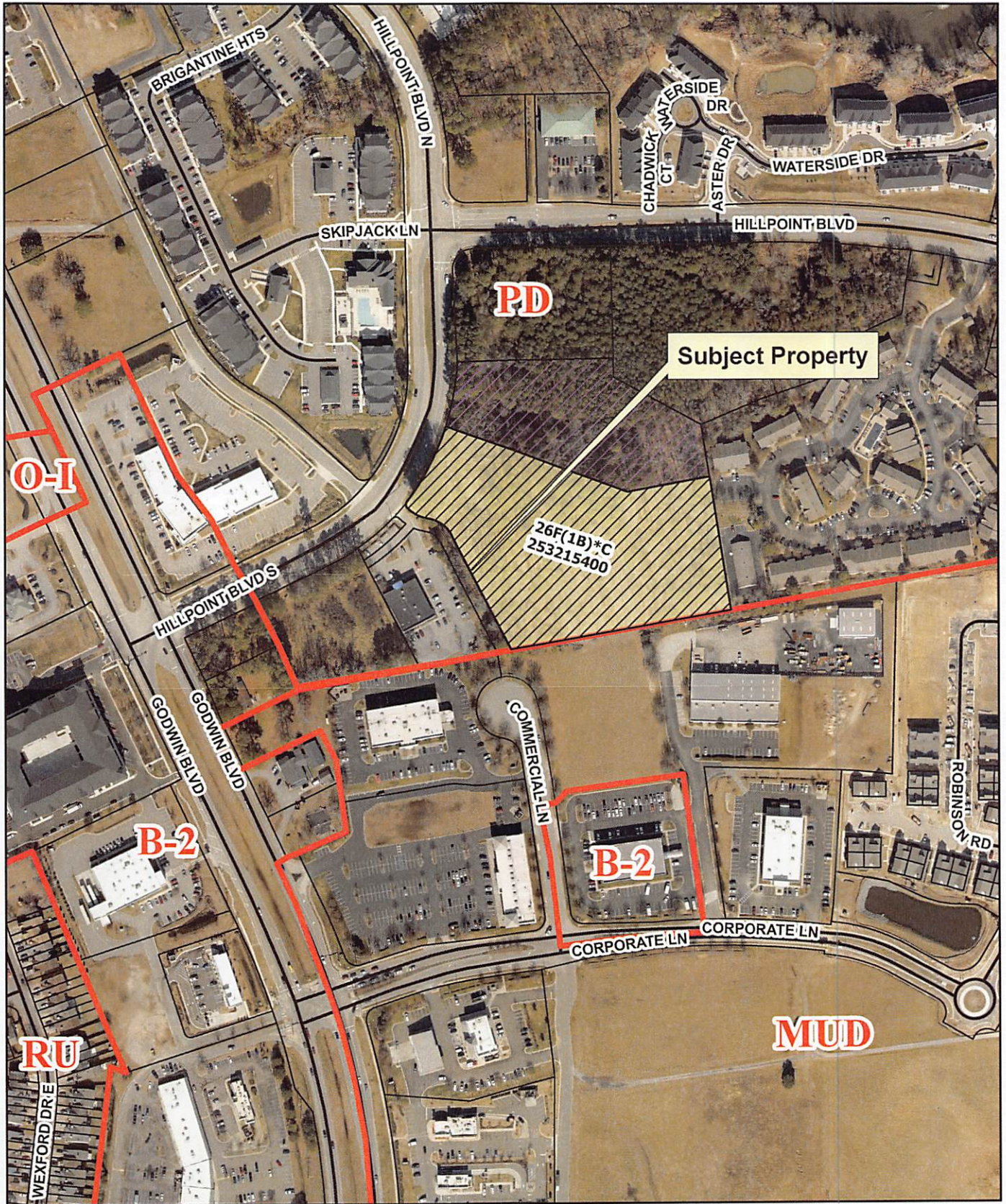
Author: KOSSAI  
Date: 12-01-2025





# ZONING / LAND USE MAP

## RZN2024-00015



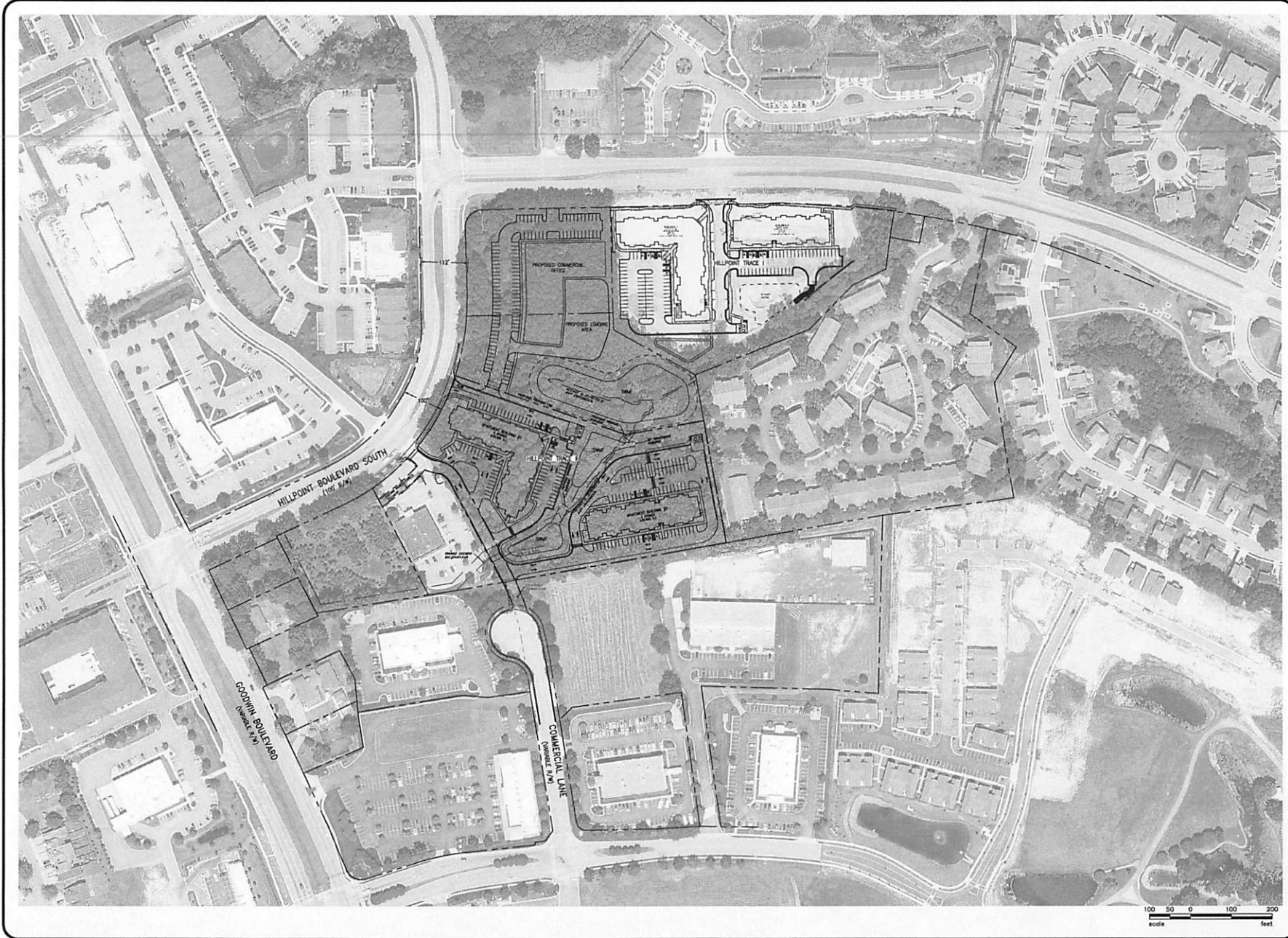
Author: KOSSAI  
Date: 12-01-2025



Image: Suffolk Pictometry 2024







**PARRISH LAYNE**  
**DESIGN GROUP**  
 Engineers • Surveyors • Planners  
 P.O. Box 9164, Chesapeake, VA 23321  
 Phone: 757.666.3345 Fax: 757.666.3348

REV.	DATE	DESCRIPTION	BY

**CONNECTIVITY PLAN**  
**HILLPOINT TRACE - PHASE 2**  
 FOR  
 TAX MAP 282, PARCEL 1187C  
 SUFFOLK, VIRGINIA  
**OVERALL CONNECTIVITY**

DRAWN: DHW  
 DESIGN: BIL  
 CHECKED: BIL  
 DATE: 8/16/24  
 SCALE: 1"=100'

APPROVAL DATE: \_\_\_\_\_

**C-1**

SHEET: 1

5994.1-24

## **1.0 PROJECT NARRATIVE & REASONS FOR REZONING**

This Application requests a rezoning amendment to the Hillpoint Master Plan while blending the 2045 Comprehensive Plan designation of Traditional Neighborhood Land Use. Hillpoint was master planned over 30 years ago and contained single family, multi-family, neighborhood business, neighborhood office, hotel, school, golf course and natural open spaces. The original hotel site was rezoned a couple of years ago to affordable multifamily housing and is adjacent to the northern boundary of this property. The developers of the rezoned hotel site are requesting this rezoning to accommodate additional multifamily units for affordable housing. There is a significant need for Affordable Housing in the City and evidenced by the letter of support from the executive director of the Suffolk Redevelopment and Housing Authority. In a market study conducted by T. Ronald Brown: Research & Analysis, the market area was defined as, "the City of Suffolk less that northern portion of the City that is located nearer to Hampton, and is more oriented to the cities of Portsmouth and Norfolk", the analyst determined that the total need for affordable multifamily units was 852. Hillpoint Trace I consists of 75 units and will account for under 10% of that need. Occupancy at tax credit properties in the market area was 100% at the time of the report solidifying the data presented and the need of the public for affordable housing. When determining sites that are worthy of meeting the need of affordable housing VHDA has a tiered point category wherein 30 points are awarded to developments located in census tracts with less than 3% poverty, 25 points are awarded with less than 10% poverty and 20 points are awarded with less than 12% poverty. The proposed site is located in census tract 754.02 and has a poverty percentage of 4.6%. So, whereas other sites in the City may exist, this property scores higher than nearly all surrounding census tracts. The site is also within walking distance (1/4 mile) of a Suffolk Public Bus Stop that serves the local hospital, medical offices and two grocery stores. This is a critical scoring criterion in the competitive cycle, particularly in the Tidewater pool. VHDA uses US Census Bureau data, S1701, poverty status in the past twelve months.

The subject property, TP 26F(1B)\*C, was designated as an Office / Commercial Site with the adoption of the original master plan and contains eight acres. The northerly contiguous parcel, TP 26F(1B)\*F, is common ownership and contains two acres. This application could rezone 5 of the 8 commercial acres leaving three acres of commercially zoned property for future development that will serve the need of the residents of the Hillpoint Master Plan. This combined area will total 5 acres and be used as office / commercial located on the southerly corner Hillpoint Boulevard and Hillpoint Boulevard South approximately 900 feet east of Godwin Boulevard. There are four undeveloped acres owned by the same landowner on the corner of Hillpoint Boulevard South and Godwin Boulevard commercially zoned in the Hillpoint Planned Development that allows the Hillpoint Master Plan to be served by a traditional corridor commercial use. The owner has a vision of the combined 5 acre commercial parcel as neighborhood office and neighborhood commercial such as:

1. Professional Services: small offices for real estate, accountants, attorneys, engineers and medical/dental.
2. Food / Beverage: Coffee Shop, cafes, bistros, ice cream parlors and small restaurants.
3. Community Facilities: Daycare, small gathering places, small retail and boutique.

As stated above, this development will blend the Hillpoint Master Plan Development and the 2045 Comprehensive Plan designated Traditional Neighborhood use by proffering pedestrian connectivity by street sidewalks and proffered materials that are typical for market rate buildings. The PD uses and Traditional Neighborhood Uses are in conflict of each other but we are blending the existing and proposed multifamily component with a the neighborhood businesses while connecting the two apartment sites by providing walking patterns to the existing business in the corridor and utilizing Public Transit ultimately reducing vehicular needs. The City has funded CIP projects that this application will serve:

1. RTE. 58 / Holland Road Corridor Improvements: This City project is near completion of the main corridor that adds and implements transportation to the City's 5 million square feet of available warehouse space. Workforce housing provides workers the opportunity to live and work without great commute distances and have a home in Suffolk.
2. Suffolk Transit Operations Facility: The City is near completion of an operation facility to enhance the sustainability of it's public transit system. The project is within walking distance of a public bus stop serving the green route.
3. Godwin Boulevard Corridor Improvements and Godwin Boulevard Interchange Improvements: The City has completed a few of the phases and committed additional funding to improve transportation for the Godwin corridor. This corridor supports the local hospital, 2 grocery stores, a gate way entrance to the downtown area and the public transportation route. Business growth has blossomed in this corridor and workforce housing is in demand.

A review of the Hillpoint Master Plan and the current residential ratios determine the typology of the dwelling units. There are approximately 1786 residential dwelling units and 620 are multifamily (35%) leaving 65% single family residential. This project will add 79 units revising the percentage 4% (39% MFR, 61% SFR). The commercial/office component left undeveloped will be approximately 9 acres maintaining almost 4% of the planned development that will provide a neighborhood business/office use and corridor commercial use to service Hillpoint. The typology of the apartments will be approximately 36-3 bedroom apartments and 43-2 bedroom apartments. VHDA has point categories (up to 15 points) for developments that have no more than 20% total units with one bedroom or less and (up to 15 points) for developments with 3BR units. While these scoring criteria appear that they can be "maxed" out, there is also an efficiency category (up to 100 points) wherein developments score much higher by having a higher percentage of 3BR units. This is the reason for the unit mix. The developer has proffered an internal fitness / exercise room and outdoor active area to lessen the burden on the Hillpoint open spaces. The developer will also provide at minimum 10% Type A 504 fully accessible units and 100% of units would be UD (Universally Designed) certified National Green Building Standards (NGBS) Silver.

We had a community meeting with the Homeowners Association to address their concerns as evidenced by the HOA support letter. Suffolk Housing and Redevelopment has also supported the application and the need for workforce housing. The developer has proffered a connected roadway to Commercial Lane that further enhances the proximity of the proposed apartment buildings to commercial and employment opportunities. This proffered connection allows pedestrian access to

the existing commercial/office area adjacent to the property and adds to the pedestrian access to the neighborhood office/commercial areas.

This rezoning request will complement the City's CIP investments and provide a sound growth opportunity by offering workforce housing for new jobs created with the economic growth Suffolk has recently experienced from the warehouse, commercial and office developments in the area. A quick study of the 2045 Comprehensive Plan identifies several action items that this request compliments:

1. *Action H.1.2: Monitor the production of affordable/workforce housing to align initiatives with ongoing needs.* The submitted FIA identified the need for 852 additional multifamily affordable housing in this corridor. The developers are providing proffer language to address staff concerns.
2. *Action H.1.4: Consider the creation of development incentives for the encouragement and inclusion of affordable income housing units within mixed use and mixed income development projects.* The Hillpoint Development has approximately 1786 residential units consisting of single family homes, townhomes, apartments that are served by commercial and office uses. The income level restrictions of this development range from 30% - 80% of AMI. The developer has proffered rent rates within 80% of AMI for a thirty year period.
2. *Action H.1.6: Promote greater awareness of the City's affordable housing goals and its incentive and assistance programs through public outreach materials and programming.* Suffolk Housing and Redevelopment has provided a letter of support for the project. Hillpoint Trace II would provide at minimum 10% Type A 504 fully accessible units and 100% of units would be UD (Universally Designed) and be certified National Green Building Standard (Silver).
4. *Action T.1.1: Prioritize transportation investments to address corridors that will be most affected by growth in local development and regional traffic both within and outside of the Growth Areas.* The City has funded four capital improvement initiatives along the Godwin Boulevard Transportation Corridor. The corridor has experienced commercial and office growth. This development will enhance the workforce ability to live locally and provide employment opportunities to work and live in Suffolk.
5. *Action L.1.2: Review and Revise current development regulations, including the UDO and zoning map, to improve compatibility with the comprehensive plan.* This request is to rezone the subject property will provide compatibility with the surrounding uses. The property is located within the Hillpoint Master Plan and serves as Mixed Core Use. The developer has proffered pedestrian access routes to better connect the apartment buildings to the available neighborhood business uses. The neighborhood business use will serve the entire Hillpoint community.
6. *Action L.2.2: Review and update incentives and land use regulations that support traditional neighborhood designs.* The project will provide connectivity and access from S. Hillpoint Boulevard to Commercial Lane. The project will also provide street

sidewalks and lighting along its parcel frontage adjacent to S. Hillpoint Boulevard that connect the apartment project to the business component. The developer has proffered building materials that are typical to market rate apartments.

7. *Action L.3.3: Develop guidelines for inclusion of affordable housing units for moderate income workforce housing as part of mixed-use development.* Staff recognize the need for affordable housing and has worked with the developers to enhance the application the best way possible by identifying the weaknesses of the development. A main concern was the overall appearance and connectivity of the typology of the Hillpoint Master Plan. The developers have answered those concerns by providing exterior finishes of brick and Cementous board, provided a outside active open area and indoor exercise facility, better defined the business use and lay-out of the commercial component, added pedestrian connectivity to Hillpoint Trace 1 and advanced capacity for the student deficit.

**City of Suffolk**  
**Department of Planning and Community Development**  
**DISCLOSURE STATEMENT FORM**



**OFFICE INFORMATION: To be completed by staff**

Application Number:		Project Name:	
Project Address:		Date Submitted:	

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. The 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 Suffolk requiring action by the City Council or a City board, commission or other body.

**PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant**

**Important Notice:** Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.

**APPLICANT INFORMATION**

Applicant Name: Taft Mills Group, LLC

Property Address(es): 1015 S Hillpoint Blvd.

Tax Map Number(s): 26F(1B)\*C (Portion of)

Account Number(s): 253215400 (Portion of)

Is Applicant the owner of the subject property?  YES  NO

Does the Applicant have a Representative?  YES  NO

If yes, name of Representative: Brian Layne

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business?  YES  NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

CJ Tyree

\_\_\_\_\_

\_\_\_\_\_

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

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**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/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
	(select one)		(Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Legal Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>

**APPLICANT CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Applicant Name (Print)	Applicant Signature	Date
<u>C.J. Tyree</u>	<u></u>	<u>11/27/24</u>

**PROPERTY OWNER CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Property Owner Name (Print)	Property Owner Signature	Date
_____	_____	_____

"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.

"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.

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

**Property Owner Name:** Jerry L. Bowman, Trustee

(as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidiary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: Taft Mills Group, LLC

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/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
	(select one)		(Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Legal Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

**PUBLIC COMMENTS  
FOR  
RZN2024-015**



## Public Comment Form

Please be advised that this form is for public comment for RZN2024-015, HILLPOINT TRACE II, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

Comments provided by 5:00 PM on February 10, 2026, no less than one week prior to the Planning Commission's scheduled meeting on February 17, 2026, will be included in staff's report for the Planning Commission.

All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Kelly
Last Name	Hengler
Street Address	9345 Eclipse Drive
City	Suffolk
State	Virginia
Zip Code	23433

**Comment**

Chesapeake Bay Preservation Act (CBPA)  
 Virginia Stormwater Management Act  
 Virginia Erosion & Sediment Control Law  
 State Water Control Law  
 Suffolk UDO (CBPA Overlay, Stormwater, Adequate Public Facilities)  
 Dillon Rule limits on local authority  
 Nansemond River / James River Basin TMDL context  
 Impervious surface + RMA constraints

**PUBLIC COMMENT — RZN2024-015 (Hillpoint Trace II)**  
 This rezoning cannot lawfully or responsibly be approved as submitted because the application contains multiple deficiencies under the Chesapeake Bay Preservation Act, Virginia stormwater and erosion laws, the State Water Control Law, and the Suffolk UDO. Under the Dillon Rule, the City of Suffolk may exercise only those powers expressly granted by the General Assembly. The City therefore cannot waive, relax, or ignore mandatory state environmental protections, stormwater requirements, or CBPA standards in order to facilitate a rezoning.

1. CBPA RMA protections are not met  
 The parcel is entirely within the Resource Management Area (RMA) of the Chesapeake Bay Preservation Act. The CBPA requires minimization of land disturbance, preservation of existing vegetation, and minimization of impervious cover.

The applicant repeatedly states:

"The site is wooded and the parcel will be mostly disturbed."

Impervious surface increase "less than 50%."

Replanting and preservation marked "not applicable."

This is not compliant with CBPA performance criteria (§62.1-44.15:72 et seq.) or Suffolk's CBPA Overlay District. "Less than 50%" is not a legal standard. The law requires minimum necessary disturbance, not a percentage chosen by the developer.

2. Intermittent stream and wetlands are downplayed despite CBPA and state law  
The applicant claims master drainage ponds "are not CBPA features," yet also admits an intermittent stream and wetlands that will be impacted.  
Under CBPA guidance, intermittent streams are typically RPA features requiring 100-ft buffers unless a formal determination says otherwise.  
The application is internally inconsistent and does not meet the burden of proof required for disturbance of sensitive features.

3. Stormwater plan violates the intent of the CBPA and State Water Control Law  
The VRRM shows 2.86 lb/yr phosphorus, but the applicant proposes to treat only 1.83 lb/yr on-site and purchase 0.94 lb/yr in off-site credits.  
In the Nansemond River HUC, a TMDL-impaired watershed, relying on credits instead of on-site treatment contradicts:

The CBPA requirement to protect local state waters

The State Water Control Law mandate to prevent localized degradation

Suffolk UDO stormwater requirements for on-site pollutant reduction

Credits do not protect the Nansemond River.

4. Pump Station #41 is already over capacity  
The applicant admits:

"Pump Station #41 is currently over capacity without the additional 79 units."

Upgrades are required.

Under the Adequate Public Facilities provisions of the Suffolk UDO, and under the Dillon Rule, the City cannot approve a rezoning that knowingly adds load to an over-capacity sewer system. Doing so risks SSOs and nutrient/bacteria discharge into the Nansemond River, violating state water quality standards.

5. Cumulative impacts are ignored

The Hillpoint Master Plan already contains multiple high-density complexes and regional BMPs.

The CBPA, Virginia Stormwater Management Act, and Suffolk UDO require evaluation of cumulative impacts, not project-by-project isolation.  
This application does not provide that analysis.

6. The City cannot waive environmental requirements under the Dillon Rule  
The applicant requests fee waivers and reduced proffers.  
Under the Dillon Rule, Suffolk cannot waive:

CBPA performance standards

State stormwater requirements

State erosion and sediment control requirements

**State water quality protections**

Localities have no authority to relax state-mandated environmental protections to make a project financially viable.

7. The application fails to meet the legal standard for rezoning

A rezoning must demonstrate:

**Consistency with the Comprehensive Plan**

**No adverse impact on public facilities**

**Compliance with state environmental law**

This application fails all three.

**REQUEST**

For the reasons above, I respectfully request that the Planning Commission and City Council DENY RZN2024-015, or at minimum DEFER action until the applicant provides:

**A CBPA-compliant analysis of the intermittent stream and wetlands**

**A stormwater plan achieving full on-site phosphorus reduction**

**A vegetation preservation and replanting plan consistent with CBPA**

**A cumulative impact analysis for the Nansemond River watershed**

**Proof that Pump Station #41 capacity issues are fully resolved before additional units are approved**

Approving this rezoning as submitted would violate the Chesapeake Bay Preservation Act, the State Water Control Law, Virginia stormwater and erosion statutes, and the Suffolk UDO, and would exceed the City's authority under the Dillon Rule.

ORDINANCE NUMBER \_\_\_\_\_

**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK FOR PROPERTY ZONED PD, PLANNED DEVELOPMENT OVERLAY ZONING DISTRICT, IN ORDER TO AMEND THE PLANNED DEVELOPMENT MASTER PLAN FOR PROPERTY LOCATED AT 1015 SOUTH HILLPOINT BOULEVARD, ZONING MAP 26F(1B), PARCEL C, ACCOUNT NUMBER 253215400; RZN2024-015 (CONDITIONAL)**

WHEREAS, C.J Tyree, Taft Mills, LLC, applicant, on behalf of Jerry L. Bowman, Trustee, property owner, has requested to rezone and amend the official zoning map of the City of Suffolk in order to amend the planned development master plan for property located at 1015 South Hillpoint Boulevard, Zoning Map 26F(1B), Parcel C, which land is further depicted on Exhibit "C"; and,

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

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

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the 20<sup>th</sup> day of May, 2026, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

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

Section 1. Exhibit "A," "Planning Commission Recommendation", Exhibit "B," "Voluntary Proffer Statement", Exhibit "C," "Property Map", Exhibit "D," "Rezoning of Hillpoint Trace – Phase 2 - Rezoning Exhibit", Exhibit "E," "Hillpoint Trace – Phase 2 – Elevations," Exhibit "F," "Hillpoint Farms Master Plan," which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

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

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;

4. the trends of growth or change;
5. the current or future requirements of the community as to land for various purposes as determined by population, economic, and other studies;
6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas or other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City; and,
13. the expressed purpose of the City's Unified Development Ordinance (UDO), as set out in Section 31-102 of the UDO, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

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

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2045 Comprehensive Plan as adopted by City Council on December 18, 2024.

Section 3. Rezoning.

1. The conditions proffered in the attached Exhibit "B" be, and are hereby accepted.
2. The master plan as shown on the attached Exhibit "F" is hereby approved and the official zoning map be, and it is hereby, amended to modify the designation of Parcel "C-1" as depicted on the master plan from office/commercial to high density residential, which property is identified as Zoning Map 26F(1B), Parcel C.

3. The foregoing master plan and amendment to the official zoning map are expressly made subject to the performance of the conditions hereby proffered and accepted and these conditions shall remain in effect until a subsequent amendment changes the zoning of the property; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.

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

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

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:



\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**EXHIBIT "A"**

**RESOLUTION NO. 26-04-01**

**CITY OF SUFFOLK PLANNING COMMISSION**

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO REZONING REQUEST  
RZN2024-015 (CONDITIONAL) TO AMEND THE PLANNED DEVELOPMENT  
MASTER PLAN FOR PROPERTY LOCATED AT 1015 SOUTH HILLPOINT  
BOULEVARD, ZONING MAP 26F(1B), PARCEL C; ACCOUNT NUMBERS 253215400**

**WHEREAS**, C.J Tyree, Taft Mills, LLC, applicant, on behalf of Jerry L. Bowman, Trustee, property owner, has requested to rezone and amend the official zoning map of the City of Suffolk in order to amend the planned development master plan for property located at 1015 South Hillpoint Boulevard, Zoning Map 26F(1B), Parcel C, as depicted on Exhibit "C"; and

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

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

Section 1. Findings.

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

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;
5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City;
13. the expressed purpose of the City's Unified Development Ordinances as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended ("Va. Code").

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

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2045 Comprehensive Plan as adopted by City Council on December 18, 2024.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the request, RZN2024-015 (Conditional), be:

- a. Granted as submitted, and the City Council adopt the proposed Ordinance without modification.
- b. Denied, and that Council not adopt the proposed Ordinance.
- c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND PASSED: April 21, 2026

TESTE: 

VOLUNTARY PROFFER STATEMENT

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

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s) 26F(1B)\*C (Portion of),

Block Number \_\_\_\_\_, Account Number(s) 253215400 (Portion of).

1. The property shall be developed as multi-family not to exceed 79 units and shall not exceed a maximum density of 16 dwelling units per acre per the Hillpoint Master Plan.
2. Rental fees for all units shall be affordable to households earning 80% of the area median income (AMI) or less for a minimum 30-year term from the date of issuance of a Certificate of Occupancy on the property.
3. The applicant shall contribute Eight Hundred Twenty-Three Thousand One Hundred Nineteen Dollars (\$823,119) to advance capacity for the current student deficits in Hillpoint Elementary School and Kings Fork High School. The students generated by this development will be six (6) High School students and thirteen (13) Elementary students. The Capitol Improvements Program (FY 2025-2034) will allow cash proffers to be paid to advance capacity. Based upon the estimated cost to advance capacity at the elementary school level a contribution of \$35,900 per student would be required and to advance capacity at the High School level \$59,402.09 per student would be required. The applicant shall make a cash contribution of Four Hundred Eleven Thousand Five Hundred Fifty-Nine Dollars and 50 Cents (\$411,559.50) per building (2 buildings) and shall be paid prior to the issuance of a Certificate of Occupancy.
4. The applicant shall provide frontage improvements for the width of the subject parcel along S. Hillpoint Boulevard including street lights and sidewalks, if not already already installed to City standards.
5. The applicant agrees that the buildings shall be substantially consistent with the building elevations on file with the Planning Department and dated 10/23/25. The exterior of the buildings shall be at least 50% brick veneer and cementous board (such as Hardi-Plank). The development shall contain an interior exercise room and outdoor active area including bicycle parking racks, pedestrian paths and a picnic shelter.
6. The applicant shall provide an access road connection for the future extension to Commercial Lane. A looped waterline connection with a public utility easement shall be installed with the access road connection to the existing water main located in Commercial Lane. The road connection and looped waterline will be constructed with the site plan for the project and completed before the issuance of a CO.
7. The applicant shall provide the necessary upgrades to Pump Station #41 to mitigate the capacity deficit for this development.

Applicant Signature: 

Date: 4/16/26

Property Owner Signature: 

Date: 4/16/2026

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

VOLUNTARY PROFFER STATEMENT

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

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s) 26F(1B)\*C ( Portion of)

Block Number \_\_\_\_\_, Account Number(s) 253215400 (Portion of)

1. The property shall be developed as multi-family not to exceed 79 units and shall not exceed a maximum density of 16 dwelling units per acre per the Hillpoint Master Plan.
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7. The applicant shall provide the necessary upgrades to Pump Station #41 to mitigate the capacity deficit for this development.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

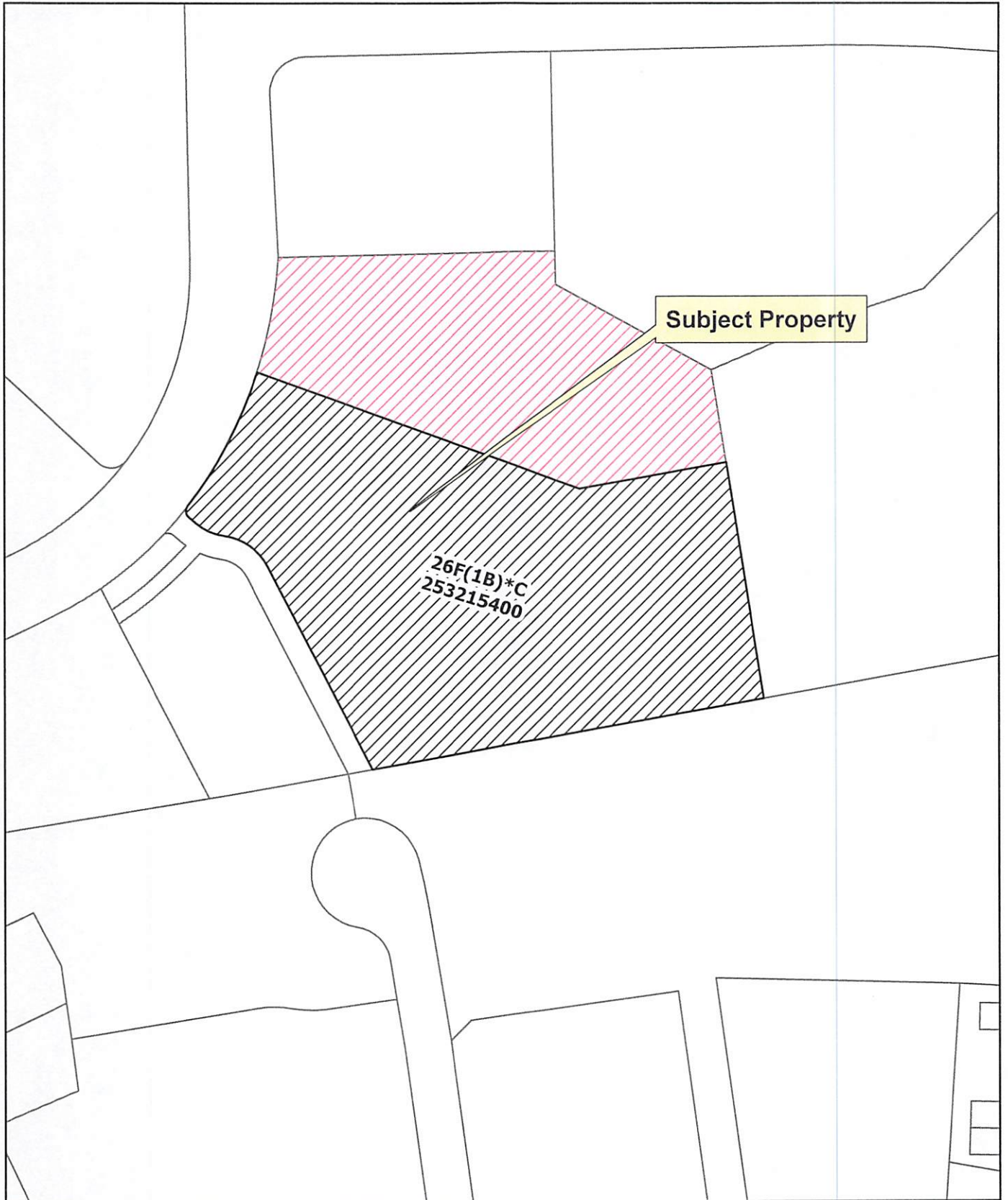
Property Owner Signature: 

Date: 4/19/24

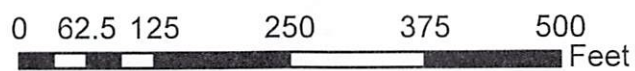


# PROPERTY MAP RZN2024-00015

EXHIBIT C

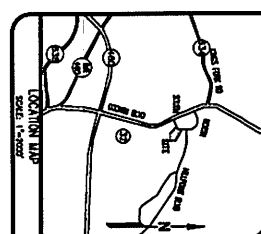
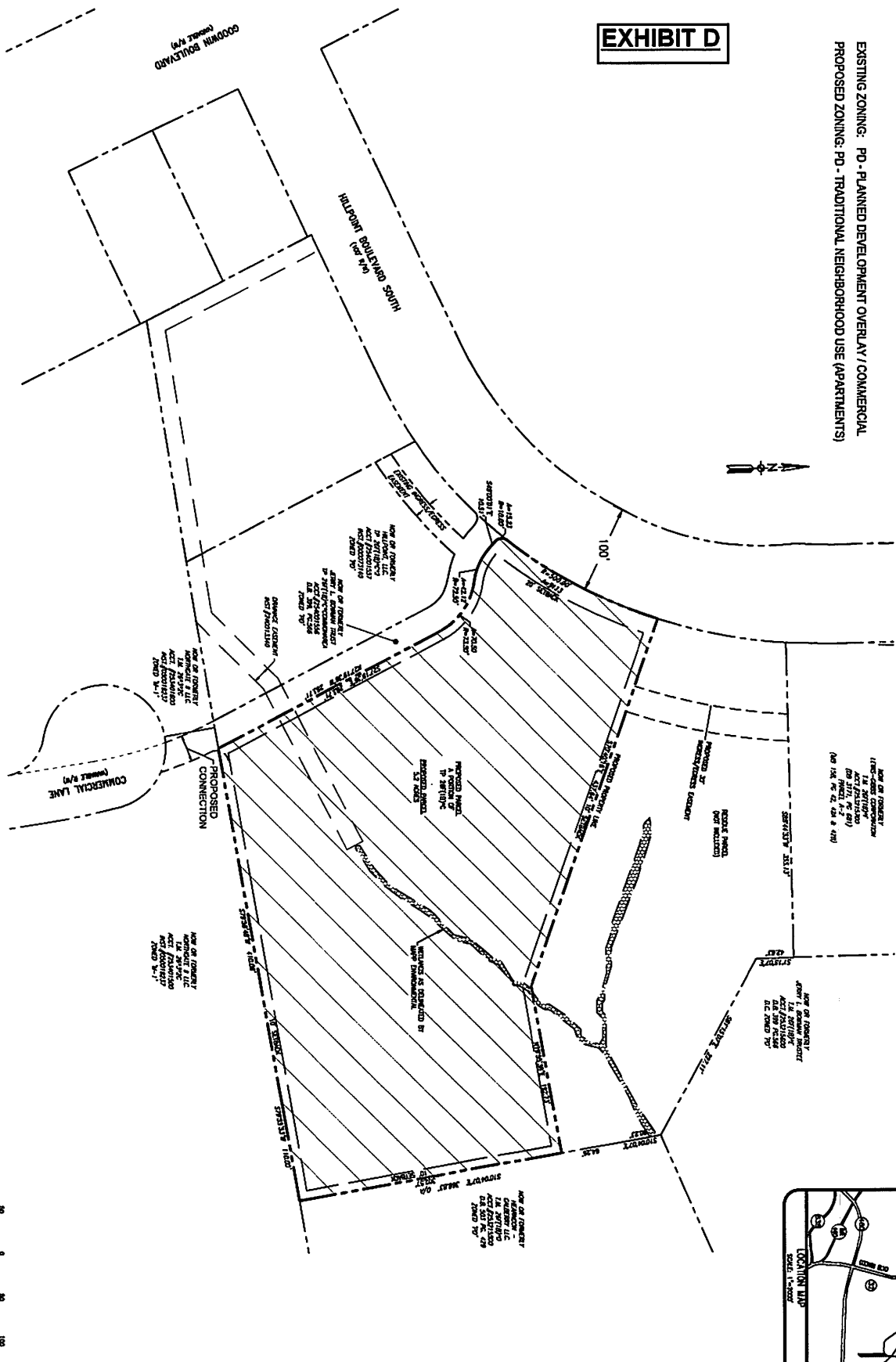


Author: KOSSAI  
Date: 12-01-2025



**EXHIBIT D**

EXISTING ZONING: PD - PLANNED DEVELOPMENT OVERLAY / COMMERCIAL  
 PROPOSED ZONING: PD - TRADITIONAL NEIGHBORHOOD USE (APARTMENTS)



REVISIONS		BY		DESCRIPTION	
REV.	DATE				

<b>DATE:</b> 1/23/28	<b>DWG:</b>
<b>SCALE:</b> 1"=50'	<b>CHECKED:</b> B.L.
<b>APPVAL. DATE:</b>	<b>DESIGNER:</b> B.L.
	<b>DATE:</b> 1/23/28
	<b>SCALE:</b> 1"=50'

<b>REZONING OF HILLPOINT TRACE - PHASE 2</b>
<b>FOR</b>
<b>PORTION OF TAX MAP 26F, PARCEL 1(B)C</b>
<b>SUFFOLK, VIRGINIA</b>
<b>REZONING EXHIBIT</b>

<b>C-1</b>	<b>SHEET: 1</b>
5994 1/24	

**PARRISH LAYNE**  
 DESIGN GROUP  
 10100 W. GARDNER AVENUE  
 SUITE 200  
 FALLS CHURCH, VA 22044  
 TEL: 703.241.1100  
 FAX: 703.241.1101  
 WWW.PARRISHLAYNE.COM

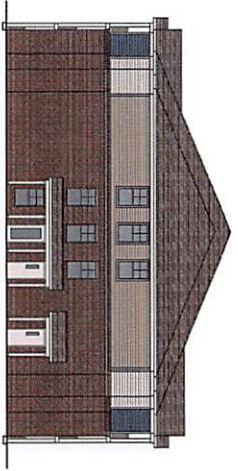
**EXHIBIT E**



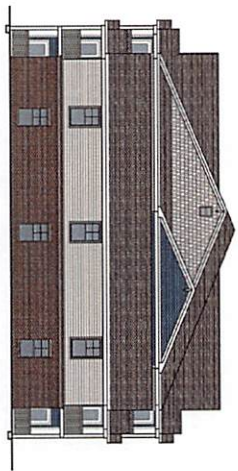
1 Building 2 Elevation - 1  
Scale: 3/32"=1'-0"



2 Building 2 Elevation - 2  
Scale: 3/32"=1'-0"



1 Building 2 Elevation - 3  
Scale: 3/32"=1'-0"



1 Building 2 Elevation - 4  
Scale: 3/32"=1'-0"

**ELEVATION KEY**

- MARK (A) ASPHALT SHINGLE ROOF
- MARK (B) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (C) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (D) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (E) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (F) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (G) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (H) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (I) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (J) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (K) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (L) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (M) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (N) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (O) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (P) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (Q) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (R) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (S) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (T) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (U) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (V) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (W) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (X) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (Y) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET
- MARK (Z) 1/2" X 1/2" ASPHALT FIBER CEMENT SHEET

SHEET	SHEET TITLE	DATE	REVISIONS	PROJECT	SEALS	CONSULTANT	ARCHITECT
ELEV2	EXTERIOR ELEVATIONS BUILDING #2	DATE: 11/26/2025 ISSUED: REVIEW		HILLPOINT TRACE II VA LLC HILLPOINT TRACE II SUFFOLK, VIRGINIA			 CONSOLIDATED DESIGN GROUP, PLLC 631 DICKINSON AVE. GREENVILLE, NC 27834 PHONE: 919 678.3552

Date: 10/23/25



1 Exterior Elevation - 1  
Scale: 3/32"=1'-0"



2 Exterior Elevation - 2  
Scale: 3/32"=1'-0"





3 Exterior Elevation - 3  
Scale: 3/32"=1'-0"



4 Exterior Elevation - 4  
Scale: 3/32"=1'-0"

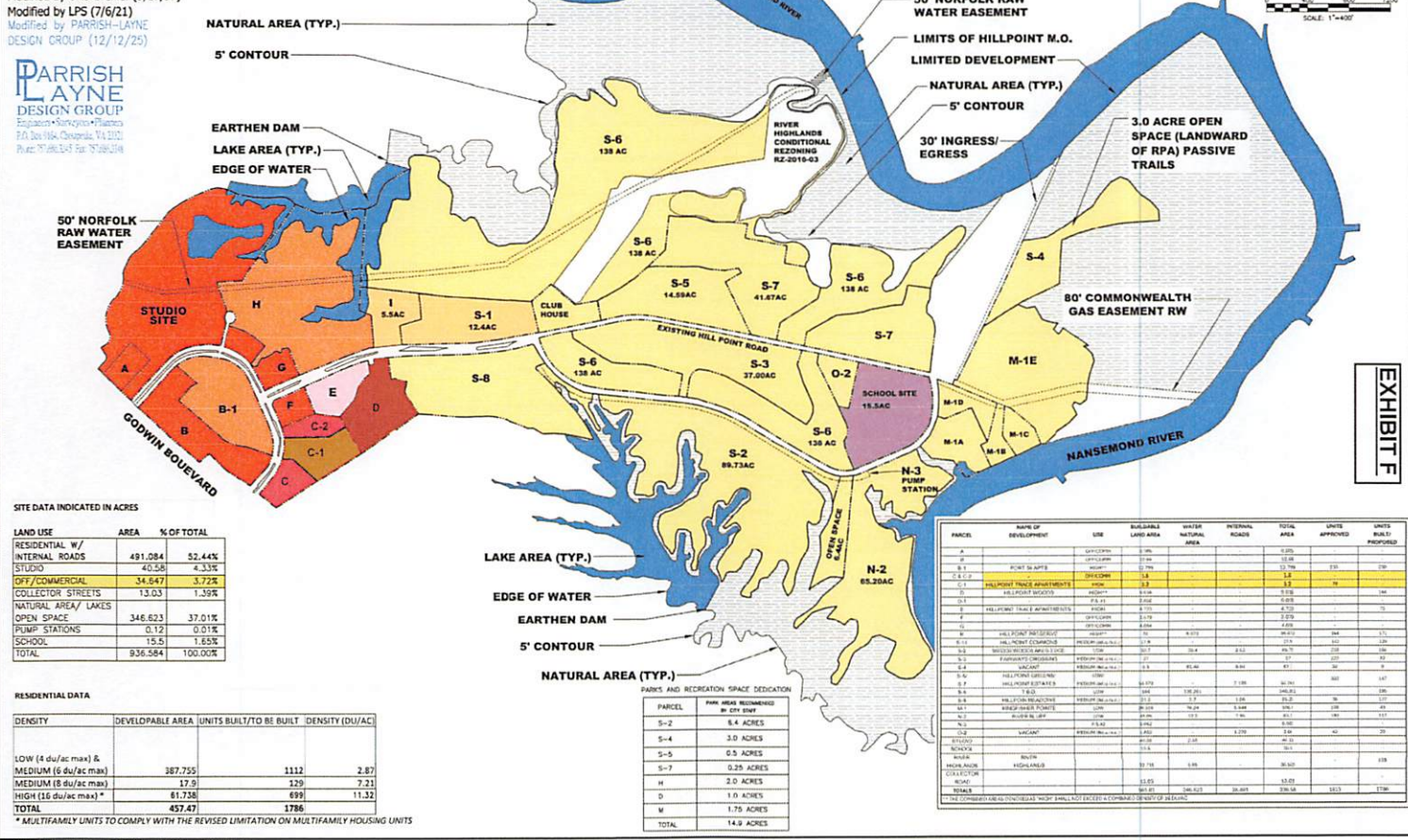
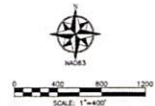
**ELEVATION KEY**

- 
**MARK (M1) ASPHALT SHINGLE ROOF**  
 30 YEAR ARCHITECTURAL, DIMENSIONAL ANTI-FURFURAL ASPHALT SHINGLES ON ONE LAYER OF 15# BUILDING FELT ON 1/2" GYP TYP. (COLOR SELECTION TO BE WEATHERED WOOD)
- 
**MARK (M2) CEDAR SHAKE SIDING**  
 FIBER CEMENT SIDING, CEDAR SHAKE PROFILE. COLOR SELECTION TO BE SHERWIN WILLIAMS SW7029- AGREEABLE GRAY)
- 
**MARK (M3) CEDAR SHAKE SIDING**  
 FIBER CEMENT SIDING, BOARD AND BATTEN PROFILE. COLOR SELECTION TO BE SHERWIN WILLIAMS SW7029- AGREEABLE GRAY)
- 
**MARK (M4) HORIZONTAL LAP SIDING**  
 FIBER CEMENT HORIZONTAL LAP SIDING WITH 7" EXPOSURE, CEDARMILL TEXTURE. (COLOR SELECTION TO BE SHERWIN WILLIAMS SW7504- KEYS TONE GRAY)
- 
**MARK (M5) HORIZONTAL LAP SIDING**  
 FIBER CEMENT HORIZONTAL LAP SIDING WITH 7" EXPOSURE, CEDARMILL TEXTURE. (COLOR SELECTION TO BE SHERWIN WILLIAMS SW8229- TEMPE STAR)
- 
**MARK (M6) BRICK VENEER**  
 BRICK VENEER - RUNNING BOND WITH SOLDIER AND ROWLOCK ACCENT MASONRY TIES AT 14" O.C. BOTH DIRECTIONS. COLOR SELECTION TO BE TRIANGLE NORTHAMPTON)

ARCHITECT	 <b>CONSOLIDATED DESIGN GROUP, P.L.L.C.</b> 631 DICKSON AVENUE, GREENVILLE, NC 27834 PHONE: 818.823.2322
CONSULTANT	
SEALS	
PROJECT	HILLPOINT TRACE II VA LLC HILLPOINT TRACE II SUFFOLK, VIRGINIA
REVISIONS	
DATE	DATE: 11/26/2025 ISSUED: REVIEW
SHEET TITLE	EXTERIOR ELEVATIONS BUILDING #1
SHEET	ELEV1

# HILLPOINT FARMS

Original Drawing by Talbot & Associates  
 Modified by URS Greiner (9/17/97)  
 Modified by LPS (7/6/21)  
 Modified by PARRISH-LAYNE  
 DESIGN GROUP (12/12/25)



**EXHIBIT F**

**SITE DATA INDICATED IN ACRES**

LAND USE	AREA	% OF TOTAL
RESIDENTIAL W/ INTERNAL ROADS	491.084	52.44%
STUDIO	43.586	4.33%
OFF/COMMERCIAL	34.647	3.72%
COLLECTOR STREETS	13.03	1.39%
NATURAL AREA/ LAKES	346.623	37.01%
OPEN SPACE	0.12	0.01%
PUMP STATIONS	15.5	1.65%
<b>TOTAL</b>	<b>936.584</b>	<b>100.00%</b>

**RESIDENTIAL DATA**

DENSITY	DEVELOPABLE AREA	UNITS BUILT/TO BE BUILT	DENSITY (DU/AC)
LOW (4 du/ac max) & MEDIUM (6 du/ac max)	387.755	1112	2.87
MEDIUM (8 du/ac max)	17.9	129	7.21
HIGH (16 du/ac max)*	81.728	699	11.32
<b>TOTAL</b>	<b>457.47</b>	<b>1786</b>	

\* MULTIFAMILY UNITS TO COMPLY WITH THE REVISED LIMITATION ON MULTIFAMILY HOUSING UNITS

**PARKS AND RECREATION SPACE DESIGNATION**

PARCEL	PARK AREA DESIGNATED BY CITY SWF
S-2	5.4 ACRES
S-4	3.0 ACRES
S-5	0.5 ACRES
S-7	0.25 ACRES
H	2.0 ACRES
D	1.0 ACRES
M	1.75 ACRES
<b>TOTAL</b>	<b>14.9 ACRES</b>

PARCEL	NAME OF DEVELOPMENT	USE	BUILDABLE LAND AREA	WATER NATURAL AREA	INTERNAL ROADS	TOTAL AREA	UNITS APPROVED	UNITS BUILT/PROPOSED
A	STUDIO	STUDIO	43.586	-	-	43.586	-	-
B	STUDIO	STUDIO	43.586	-	-	43.586	-	-
C, D, E	STUDIO	STUDIO	43.586	-	-	43.586	-	-
F, G, H, I	STUDIO	STUDIO	43.586	-	-	43.586	-	-
J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z	RESIDENTIAL	RESIDENTIAL	491.084	346.623	13.03	850.737	1786	1786
CLUB HOUSE	CLUB HOUSE	CLUB HOUSE	12.44	-	-	12.44	-	-
SCHOOL SITE	SCHOOL SITE	SCHOOL SITE	19.54	-	-	19.54	-	-
N-3 PUMP STATION	N-3 PUMP STATION	PUMP STATION	15.5	-	-	15.5	-	-
N-2	N-2	RESIDENTIAL	66.204	-	-	66.204	-	-
O-2	O-2	RESIDENTIAL	19.54	-	-	19.54	-	-
M-1A, M-1B, M-1C, M-1D, M-1E	M-1A, M-1B, M-1C, M-1D, M-1E	RESIDENTIAL	14.9	-	-	14.9	-	-
S-1, S-2, S-3, S-4, S-5, S-6, S-7	S-1, S-2, S-3, S-4, S-5, S-6, S-7	RESIDENTIAL	14.9	-	-	14.9	-	-
<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>936.584</b>	<b>346.623</b>	<b>13.03</b>	<b>1296.237</b>	<b>1786</b>	<b>1786</b>

C:\Projects\Hillpoint\Drawings\SitePlan\PS\_SitePlan.dwg, Plotter: HP DesignJet 5000, Plot Date: 12/12/25, 2:42pm

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to rezone and amend the official zoning map of the City of Suffolk to change the zoning from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District, for the property located at 400 Jonathans Way, Zoning Map 26, Parcel 7B, Account Number 253134400; RZN2025-009 (Conditional)

Attached for your consideration is information pertaining to Rezoning Request RZN2025-009 (Conditional), Jonathans Way, submitted by Bob Arnette, Coastal Virginia Partners, LLC, applicant, on behalf of Shelley C. Atkinson, Alison C. Darden, and Mark G. Cline, property owners, in accordance with Sections 31-304 and 31-305 of the Unified Development Ordinance, to rezone and amend the official zoning map of the City of Suffolk to change the zoning from RR, Rural Residential Zoning District to RM, Residential Medium Density (Conditional) Zoning District for property located at 400 Jonathans Way, Zoning Map 26, Parcel 7B. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned RR, Rural Residential Zoning District, and SCOD, Special Corridor Overlay District Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Rural Neighborhood Land Use Type.

The Planning Commission, at its April 21, 2026, meeting, voted 7-0 to approve a resolution recommending **approval** of this request, subject to voluntarily proffered conditions. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

On May 6, 2026, the applicant provided a revised Conceptual Plan for the proposed development. This revised conceptual plan is now attached to this report in addition to the previous concept plan that was presented to the Planning Commission on April 21, 2026.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning/Land Use Map
- Jonathans Way Conceptual Plan
- Revised Jonathans Way Conceptual Plan
- Applicant's Narrative
- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A – Planning Commission Resolution
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Property Map
- Exhibit D –Rezoning Exhibit

# STAFF REPORT

## DESCRIPTION

**REZONING REQUEST:** Rezoning Request, RZN2025-009 (Conditional), Jonathan's Way, a request to change the zoning from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District, for a property located at 400 Jonathans Way, Zoning Map 26, Parcel 7B.

**APPLICANT:** Bob Arnette, Coastal Virginia Partners, LLC, applicant, on behalf of Shelley C. Atkinson, Alison C. Darden, and Mark G. Cline, property owners.

**LOCATION:** The subject property is located at 400 Jonathans Way, east of the Applewood Farms subdivision, on the western shore of the Nansemond River, and just north of Highway 58. This property is approximately 2.5 miles from Downtown.

**PRESENT ZONING:** The subject property (T.M. 26\*7B) is currently zoned RR, Rural Residential Zoning District. The property is approximately 26 acres in size, and the entirety of the property is subject to this rezoning request. The property's southern boundary is also located within the Special Corridor Overlay District (SCOD) along Highway 58.

**EXISTING LAND USE:** The property currently contains a single-family detached home. The property has a lengthy paved driveway (approximately 1,300 linear feet) connecting to the cul-de-sac at Jonathans Way and is mostly occupied by a large patch of lawn, wooded areas, and tidal wetlands.

**PROPOSED LAND USE:** The applicant proposes to rezone the entire property to the RM, Residential Medium Density Zoning District (Conditional). Please refer to the attached proffer statement and conceptual plan for details regarding the proposed land use.

## **SURROUNDING LAND USES:**

- North: Single-family detached dwelling units (River Bluff at Hillpoint subdivision) and tidal wetlands zoned PD, Planned Development Overlay District.
- South: Highway 58 and undeveloped land with tidal wetlands beyond, zoned RLM, Residential Low-Medium Density Zoning District.
- East: The Nansemond River, undeveloped land with tidal wetlands beyond land zoned O-I, Office Institutional Zoning District.
- West: Single-family detached dwelling units (Applewood Farms subdivision) zoned RM, Residential Medium Density District.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as part of the Central Growth Area and Rural Neighborhood Land Use Type.

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

**FLOOD PLAIN:** The property lies within Flood Zones X and AE as shown on Panel No. 5101560114E, dated August 3, 2015, of the Flood Insurance Rate Map (FIRM) for the City of Suffolk, Virginia.

**CASE HISTORY:** The subject property was part of rezoning request RZN2025-005, which was withdrawn by the applicant prior to the November 18, 2025 Planning Commission meeting, to modify the application and the development's concept. Those modifications are now part of this rezoning request, RZN2025-009.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. A notice, containing a copy of the staff report, was also provided to the applicant on April 17, 2026, and May 15, 2026.

### **STAFF ANALYSIS**

#### **ISSUE:**

The applicant proposes to conditionally rezone the entirety of the 26-acre subject property from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District. The conceptual plan provided by the applicant as part of this rezoning request proposes the development of 43 age-restricted (55 years of age or older) single-family units, and will retain the existing single-family detached unit as a market-rate (non-age-restricted) unit, thus making up a total of 44 units on the property.

The conceptual plan also proposes infrastructure improvements, which include a private 30-foot wide drive for all 44 units, domestic water and sanitary sewer services, and one stormwater management facility (BMP). There are CBPA-regulated wetlands on the property, and the proposed conceptual plan demonstrates that the applicant is proposing to protect those critical areas by keeping the development outside of the Resource Protection Area (RPA) 100-foot buffer. The proposed development will yield a density of 4.2 units per acre, which is just within the maximum 4.4 units per acre permitted in the RM zoning district.

The voluntary proffer statement submitted by the applicant has nine conditions proffered to the City of Suffolk. The applicant pledges the following:

- The property owner pledges that it shall not construct more than 43 “detached residential condominium units”,
- The property owner pledges that, except for the existing single-family detached unit, all 43 units shall be developed and used solely as an age-restricted active adult community that houses couples in which at least one person is fifty-five years of age or older/and or single persons who are fifty-five years of age and older in accordance with the Fair Housing Act. Under no circumstances shall a person under the age of eighteen reside in any dwelling unit except for the existing house. The condominium association governing the development shall be solely responsible for enforcing these residency requirements,

- The property owner pledges that roofing shall be copper, metal, or fiberglass architectural style shingles, which will carry a 30-year warranty,
- The property owner pledges that materials for the front, sides, and rear of the homes shall be brick veneer, stone, stamped concrete, cement-based siding, high-quality vinyl siding, and cement-fiber board siding. Vinyl siding is proposed to have a minimum of 0.046-inch thick and may be overlapped or beaded siding,
- The property owner pledges that the units shall be a minimum of 1,400 square feet of living space,
- The property owner pledges that all units shall have a crawl space or a raised slab foundation,
- The property owner pledges that all proposed and existing dwellings shall be equipped with an approved automatic sprinkler system in accordance with the 2021 International Fire Code Section D107.1,
- The property owner pledges to address traffic concerns, with the property owner committed to providing certain improvements as stated in the Traffic Impact Study prepared by Charles Smith, P.E, EPR dated January 2026. For more details, please see the attached proffer statement (Exhibit B),
- The property owner pledges that, as described in the Traffic Impact Analysis in Section 5 and Table 5B, 11 single-family units are allowed by right, which equates to 17 age-restricted units. Occupancy for these 17 condominium units is proposed without limitation. A cash contribution of \$26,875.00 shall be made prior to issuance of the 18<sup>th</sup> condominium Certificate of Occupancy. The \$26,875.00 shall be dedicated toward the Godwin Boulevard Corridor Improvements Project.

## **CONSIDERATIONS AND CONCLUSIONS**

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance, rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. The applicant has provided a narrative as a part of this request, which outlines the applicant's reasons for seeking the rezoning. The parcel is located in the Central Growth Area and within the Rural Neighborhood Land Use Type, as defined by the 2045 Comprehensive Plan.

As previously stated, the subject property is currently zoned RR, Rural Residential, and the applicant is requesting to rezone the property to RM, Residential Medium Density (Conditional), to develop an age-restricted community of 43 single-family detached dwelling units, and 1 market-rate single-family detached dwelling unit (the existing structure on the subject property), under condominium ownership.

Per the applicant's narrative, considering the needs of the City of Suffolk and the opportunities presented by the proposed development, the current RR zoning of the subject property is not appropriate. The applicant states that rezoning the subject property to RM will enable the creation of a vibrant, age-restricted community that aligns with the Comprehensive Plan and is congruent with the Plan's goals of promoting higher density residential developments, diversified housing options, supporting smart growth principles by mitigating urban sprawl, encouraging more efficient land use by developing infill housing, and addressing the existing housing demand for

active age-restricted/senior housing. The applicant states that this rezoning would facilitate the development of an active adult community, significantly enhancing the quality of life for its future residents and contributing positively to the city's growth and sustainability.

## 1. Comprehensive Plan

The subject property is located within the Rural Neighborhood Land Use Type. The 2045 Comprehensive Plan states that the intent of the Rural Neighborhood Land Use Type is to provide residential growth opportunities while maintaining agricultural uses and rural aesthetics, and to minimize development impacts on natural resources.

Appropriate zoning districts for property designated as Rural Neighborhood Land Use Type include Rural Residential (RR) Zoning District and Rural Estate (RE) Zoning District, with a target density range of 0.3-1 units per acre. The Comprehensive Plan identifies *Large Lot Single-family Detached* as an appropriate primary use in Rural Neighborhoods, and *Civic (schools, houses of worship, parks/open space)* is noted as an appropriate secondary use within this land use type.

As proposed on the conceptual plan, the 44 detached units would equate to a density of 4.2 units per acre, which does not align with the recommended density range for the Rural Neighborhood Land Use Type. For this land use type, the Comprehensive Plan calls for lower-density neighborhoods that align with the characteristics of the subject parcel and other land use types and densities in its vicinity. However, the proposed 4.2 units per acre does align with the maximum density of 4.4 units per acre in the proposed RM zoning district.

Land use compatibility with surrounding existing land use patterns is a key consideration when evaluating requests to rezone property. Upon further analysis, established land use patterns in the vicinity of the subject property indicate that the property in question is not ideally suited for its current RR zoning district designation. The proposed detached dwelling community, zoned RM with a density of 4.2 units per acre, would result in a zoning alignment and density that is more compatible with surrounding established land use types, including the properties/subdivision to the west of the subject property, zoned RM, that already has a maximum density that is set at 4.4 units per acre. Therefore, based on the location and context, if considered for rezoning, the RM zoning designation is considered acceptable.

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

**Objective L.1: Focus development in designated Growth Areas and promote development that is consistent with the Future Land Use and Growth Areas Map.**

- *Action L.1.1: Review development proposals for consistency with the Future Land Use and Growth Areas Map, the Future Land Use Types described and mapped in*

*this chapter, and the Guiding Values, Land Use Principals, Objectives and Actions adopted in this plan.*

As stated above, the 2045 Comprehensive Plan outlines applicable zoning districts and land uses for the Rural Neighborhood Land Use Type. Rural neighborhoods are comprised of a mix of large-lot residential development and agricultural uses that provide low-intensity residential growth opportunities while maintaining rural agricultural use and community character. Hence, for the subject property, the 2045 Comprehensive Plan prioritizes a lower density and building form that is characterized by individual residential or agriculture-supporting buildings in a low-density pattern with large natural open spaces and/or agricultural areas.

Due to the existing land use, density, and infrastructure in the vicinity of the subject property, as well as the single site access via Jonathans Way, lower density development is more aligned with the expected future use, guiding values, land use principles, objectives, and actions adopted in the Comprehensive Plan. However, given that the proposed development is well within the Central Growth Area and is an adequate location for development. The proposed density of 4.2 units per acre is above the low density set for the Rural Neighborhood Land Use Type of 0.3-1 units per acre. However, the proposed zoning designation and density tend to align with the existing zoning districts in the vicinity, where RM and RLM are present. The proposed density (4.2 units per acre) is within the maximum 4.4 units per acre set by the RM zoning district.

**Objective L.2: Promote predictable and orderly development.**

The proposed RM zoning is not aligned with the applicable zoning districts for the Rural Neighborhood Land Use Type, which are RR, Rural Residential, and RE, Rural Estate. The proposed density (4.2 units per acre) surpasses the expected density range set by this land use type (0.3-1 unit per acre). However, the proposed zoning aligns with the existing zoning and uses in the vicinity, and the proposed density is still under the maximum established for the RM zoning district of 4.4 units per acre.

While there is a slight misalignment with the 2045 Comprehensive Plan, this proposal does satisfy the zoning density requirement, and it provides a land use and density continuity when analyzed against the existing surrounding properties and zoning districts. The Comprehensive Plan would suggest a slightly lower density than the proposed, but the proposed density can be acceptable given the surrounding context in terms of zoning designation, uses, and overall density. As previously stated, a low-density detached dwelling community, as proposed, is compatible with established land use types in its vicinity and will not conflict with the expected, predictable, and orderly development of the subject property and its surrounding area.

**Objective L.3: Promote a balance of residential and non-residential land uses.**

- *Action L.3.1: Adjust residential density range targets within Use Districts to better align with recent trends and market demands.*

Action L.3.1 calls for adjusting residential density ranges in the City's zoning districts to align with recent housing trends and market demands. While this rezoning application itself is outside of the scope of this Action directly, an analysis can still be conducted as to how the rezoning request furthers or fails to advance the objective and intent tied to the Action. However, note the quoted directive is to "adjust" and "better align" measured, proportional modifications to density, not wholesale abandonment of established land use frameworks and existing density.

The rezoning request proposes a development density of 4.2 units per acre for a parcel designated Rural Neighborhood Land Use Type, which has a targeted density range of 0.3-1.0 units per acre. Thus, the proposal represents a proposed density beyond the upper limit of the target range. However, as previously stated, it meets the density maximum requirements (4.4 units per acre) for the RM zoning district that is established in the area.

Staff also recognize that there is a legitimate demand for age-restricted housing in the city. However, it is important to note that the 2045 Comprehensive Plan does not specify or promote satisfying all market demand at any density in any location, and demand does not necessarily allow proposals to exceed the range/limit set by the Comprehensive Plan. While the proposed density is above the range set for this land use type, the density of the proposed development is more appropriate when analyzed in the context of the existing zoning designations (for instance, RM and RLM) and uses in the vicinity of the subject parcel. Hence, while recognizing a discrepancy with the Comprehensive Plan's density range, staff believes that this proposal does set the subject parcel to better align with recent trends and market demands in the city and in the Hampton Roads region.

## **2. Unified Development Ordinance**

Section 31-403 of the Unified Development Ordinance (UDO) provides a purpose statement for each zoning district to assist in evaluating the compatibility of any rezoning request. The subject parcel is currently zoned RR, Rural Residential. As defined within the UDO, the purpose of the RR district is to encourage the continuation of low-density rural use of non-prime agricultural lands and provide a buffer between agricultural lands and urbanizing areas.

This application proposes to rezone the subject property to RM, Residential Medium Density. As defined within the UDO, the RM zoning district aims to provide a framework for "detached and attached single-family homes in areas where large-lot development is discouraged, and adequate public facilities and services are available". Per the UDO, "RM supports the principles of concentrating urban growth and reinforcing existing community centers. Design standards are required to encourage the development of neighborhoods that are pedestrian-friendly and accessible to services and retail. A mix of dwelling types is allowed in this district".

This rezoning application partially aligns with the purpose of the requested RM zoning district. The conceptual plan depicts a medium-density development of 4.2 units per acre,

with a compact layout of single-family detached dwellings that adheres to the density maximum set for RM, which is 4.4 units per acre. The proposed development and RM zoning also align with the existing RM zoning designation and urban fabric present to the west of the subject property, thus concentrating growth within an area already set for this use, density, and housing typology (single-family detached).

However, based on the layout and narrative, the proposed development does not provide the full spectrum of improvements that would lead to the development of a pedestrian-friendly neighborhood, and neither is it located in an area that would provide access to services or retail, which is where typically RM districts are located. This is an important aspect of the proposed development because 43 units are age-restricted for active adults, and therefore, walkability and access to services and retail are important features of this type of development, because it reinforces the active and accessible nature that is required in these age-restricted contexts. It is highly encouraged that the applicant provide amenities and pedestrian-friendly improvements for residents. At the moment, it is unclear if those will be added to the development.

Based on existing conditions, adjacent development density and the direction of the Comprehensive Plan, staff acknowledges that the current RR zoning limits development to a low density that might not be the most appropriate. It is the staff's opinion that RM establishes a density that aligns with the existing conditions of the subject property and its vicinity.

The applicant has not proffered the conceptual layout. If approved, this development will require a full development review in accordance with Section 31-307 of the UDO. The Unified Development Ordinance (Section 31-408 - Specific Base Zoning District Criteria) specifies criteria for development within RC zoning - (e) "Specific RL, RLM, RM, RC, RU and RU-12 District Criteria"). Development in the RM district may utilize the Hamlet or Cluster use patterns as detailed in the UDO and all development must be served by public water and sewer. Compliance with all design and improvement standards in the UDO, including but not limited to: secondary access, stormwater management, utilities, parks and open space, landscaping, lot and road layout, would be verified during development review.

Upon reviewing the conceptual plan, staff shared its environmental concerns with the applicant regarding the proposed layout, because in some sections of the plan, staff believes that the development of several units will not be possible without encroachment and disturbance of the Chesapeake Bay Protection Act's (CBPA) Resource Protection Area (RPA) buffer that surrounds the property.

Lastly, the Suffolk Department of Fire & Rescue, in lieu of providing a secondary access to the development, has required that all proposed structures on the subject property have a fire suppression sprinkler system. This is also proffered by the applicant on the Voluntary Proffer Statement submitted with this application.

### 3. Adequate Public Facilities

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts and that each public facility meets or exceeds the Level of Service standards established by the 2045 Comprehensive Plan and the Unified Development Ordinance. No rezoning request should be approved that would cause a reduction in the levels of service standards for any public facility impacted.

#### Public Water and Sanitary Sewer

City water and sewer with adequate capacity are available to the site. The Department of Public Utilities has no objections to the rezoning application at this time.

#### Stormwater Management

The Department of Public Works, Engineering Division, has reviewed the request and stated that compliance with all regulations related to stormwater will be required to be demonstrated at the time of development plan review. Currently, the Division has expressed concerns regarding the proposed site layout, noting that several proposed units are not buildable without impacting the CBPA Resource Protection Area (RPA) 100' buffer.

#### Transportation

Per the Traffic Impact Study prepared by Charles Smith, P.E. EPR, dated January 2026, the proposed 44 dwelling-unit (*Age-Restricted Condos, ITE Code 251, Senior Adult Housing-Single Family Detached*) development is expected to generate 295 daily vehicular trips, with 21 of those trips occurring during the AM peak hour and 23 occurring during the PM peak hour. The study also analyzed traffic generation rates expected to be produced by uses permitted as a matter of right in the current RR zoning district. Under the current zoning, 11 single-family detached dwelling units are allowed and could be expected to generate 132 daily vehicular trips, with 10 of those trips occurring in the AM peak hour and 12 occurring at the PM peak hour.

The Department of Public Works, Traffic Engineering Division, reviewed the Traffic Impact Study submitted in support of this application and has accepted its findings. Traffic Engineering is recommending approval of this request. The approved TIS offers the following conclusions:

- *Burnetts Way and Jonathans Way Intersection: the intersection is projected to operate satisfactorily in the build condition.*
- *Godwin Boulevard and Burnetts Way Intersection: with the Godwin Boulevard improvements, the intersection is projected to operate satisfactorily in the build condition.*
- *Development Timing and By Right Allowance As described in Section 5 and Table 5B, 11 single family units are allowed by right, which equates to 17 age restricted*

*condo units. Occupancy for these 17 units is proposed without limitation. For the remaining proposed units, the owner will proffer no occupancy until March 2027. To assist in facilitating this schedule, the owner will provide a \$26,875 cash contribution for the project to advance capacity.*

- *Neighborhood Traffic Calming: If the city staff deems speed tables are warranted and approved through the standard process, the owner will install up to three speed tables in the Applewood subdivision. Speed tables and associated signage/markings will be designed as part of the development site plan or engineering plan.*

### Schools

No school impacts mitigation is proposed due to the age-restricted (55 years of age and older) nature of the proposed development. The applicant has proffered that “under no circumstances shall a person under eighteen (18) years of age reside in any dwelling unit”. The exception is the existing dwelling that is not age-restricted.

#### 4. Proffered Conditions

The applicant has proffered 9 conditions in support of this rezoning request – see Exhibit B – Voluntary Proffer Statement.

The proffers limit the development to a maximum of 43 detached residential condominium units, with 43 designated as an age-restricted active adult community (at least one resident aged 55 or older, or single residents 55 or older), while the existing single-family home is exempt; no residents under 18 are permitted except in the existing house, and the condominium association will enforce these rules. The developer commits to specific construction standards, including durable roofing materials with a 30-year warranty, approved exterior materials (such as brick, stone, and high-quality siding), a minimum unit size of 1,400 square feet, crawl space or raised slab foundations, and installation of automatic sprinkler systems per fire code. Traffic-related improvements will be implemented as outlined in the Traffic Impact Study dated January 2026, prepared by Charles Smith, P.E, EPR. Additionally, while 11 single-family units are permitted by right (equivalent to 17 age-restricted units with no occupancy restriction), the developer will contribute \$26,875 toward the Godwin Boulevard Corridor Improvements Project prior to the issuance of the 18th condominium certificate of occupancy.

### RECOMMENDATION

Staff finds that this proposal, Rezoning Request RZN2025-009 (Conditional), meets the intent of the 2045 Comprehensive Plan and the majority of the provisions of the Unified Development Ordinance. Specifically, the proposed rezoning from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District, aligns with the goals and objectives of the Comprehensive Plan, which encourages greater land use predictability and compatibility between the subject property and other properties and uses in the vicinity.

While the proposed RM zoning is not one of the applicable zoning districts for the Rural Neighborhood Land Use Type, staff acknowledges that RM is compatible with the zoning districts found in the vicinity, such as the RM-zoned properties to the west of the subject property. With regard to the density range, the proposed development density of 4.2 units per acre conflicts with the Comprehensive Plan's suggested density range of 0.3-1 units per acre for Rural Neighborhoods. However, the proposed RM designation and density tend to align with what is already established in the vicinity.

There are some concerns that staff have shared with the applicant. The need for more amenities, accessibility, and pedestrian-friendly infrastructure on the site is very important for the success of the proposed development and its vicinity, especially when the proposed development is an age-restricted active community. Staff also has concerns regarding the proximity and access to services and retail, and has expressed concerns regarding the proposed site layout, noting that several proposed units are not buildable without impacting the CBPA's RPA 100' buffer. However, it is also the staff's opinion that RM sets the density range to an acceptable density that does align with the existing conditions of the property and its adjacent neighborhood. Therefore, staff recommends **approval** of Rezoning Request RZN2025-009 (Conditional),, subject to the voluntarily proffered conditions as proposed.

The Planning Commission, at its April 21, 2026 meeting, voted 7-0 to approve a resolution recommending **approval** of this request with voluntarily proffered conditions. Therefore, this request is presented to City Council with a recommendation of approval from the Planning Commission.

On May 6, 2026, the applicant provided a revised Conceptual Plan for the proposed development. This revised conceptual plan is now attached to this report in addition to the previous concept plan that was presented to the Planning Commission on April 21,2026.

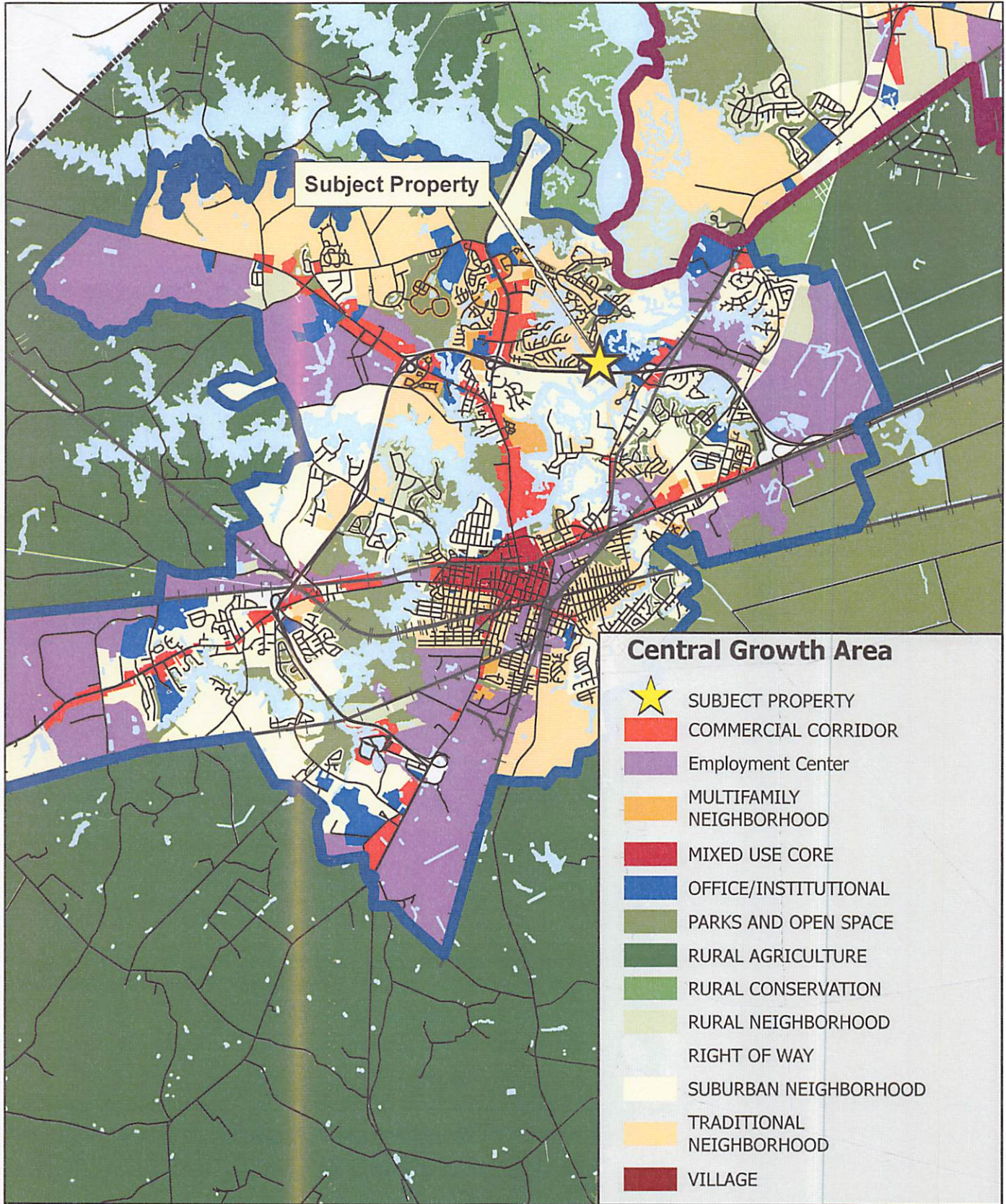
## **Attachments**

- General Location Map
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- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A – Planning Commission Resolution
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Property Map
- Exhibit D –Rezoning Exhibit

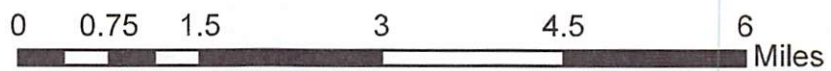


# GENERAL LOCATION MAP

## RZN2025-00009



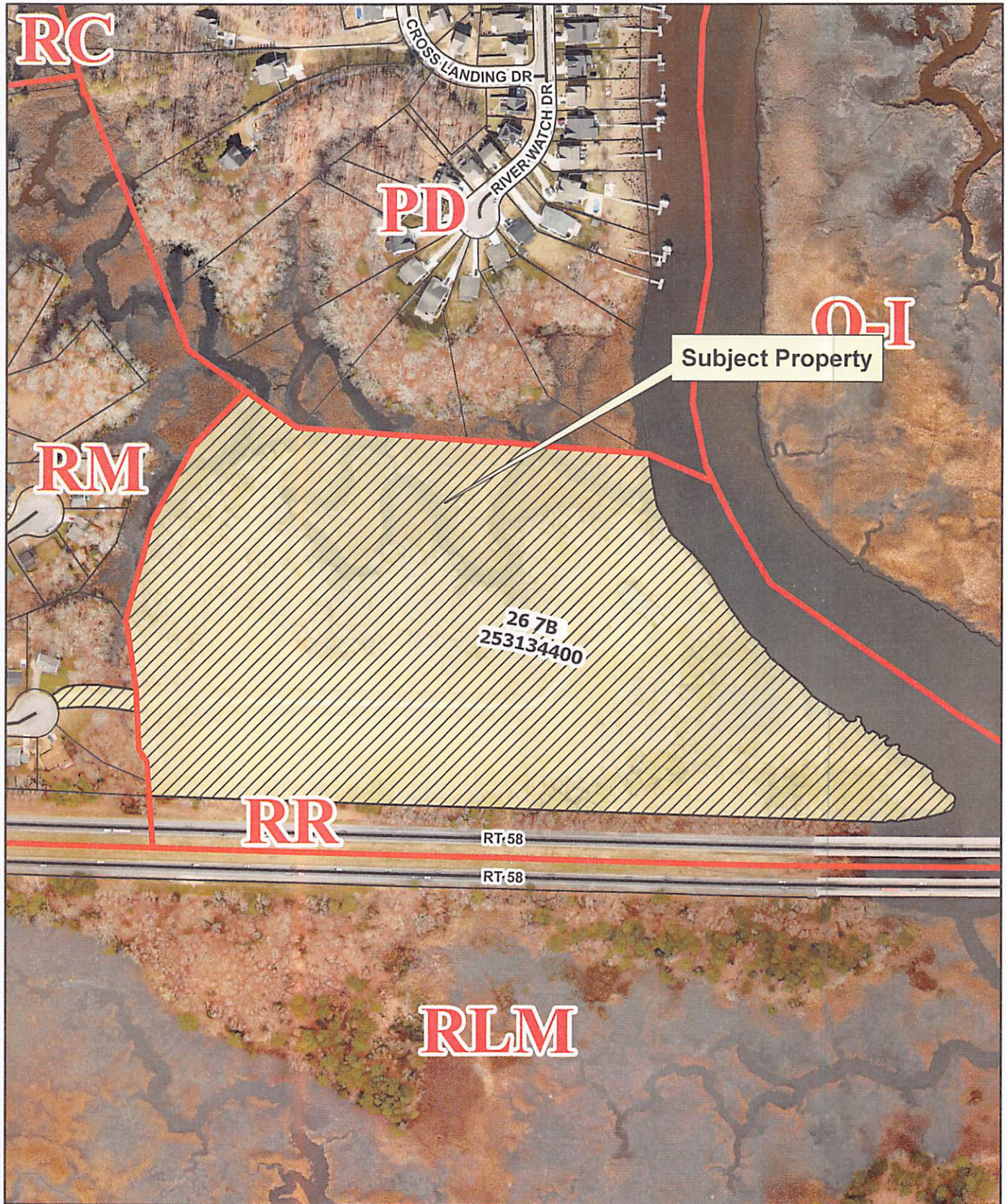
Author: KOSSAI  
Date: 12-18-2025





# ZONING / LAND USE MAP

## RZN2025-00009



Author: KOSSAI  
Date: 12-18- 2025

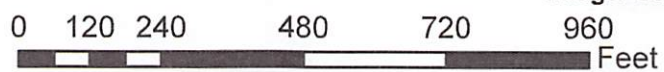


Image: Suffolk Pictometry 2024







**SITE INFORMATION:**

TAX MAP:	267B SUFFOLK, VA
PLATBOOK:	9, PG. 109
DEEDBOOK:	144, PG. 657
TAX ACCOUNT NO.:	2531344000
CURRENT/PROPOSED ZONING:	RR, RM (AGE RESTRICTED)
TOTAL SITE AREA:	26.37 +AC.
AREA OUTSIDE CRITICAL AREA:	10.41 +AC.
RM DENSITY ALLOWED:	4.4 UNITS/AC. (46 UNITS)
RM DENSITY PROVIDED:	4.2 UNITS/AC. (44 UNITS)
ROADWAY WIDTH:	30' FROM FACE OF CURB

## **1) NARRATIVE DESCRIPTION OF THE PROPERTY**

The property that is the subject of this rezoning is Tax Parcel 26\*7B, Account 253134400, and addressed as 400 Jonathan's Way, Suffolk, VA 23434. The applicant's survey reports the parcel as 26.37 acres, which is 1,148,667 square feet, and records the legal description as, "ETHERIDGE MANOR, NANSEMOND RIVER RT.58,SUFFOLK NORTHERN BYPASS."

The property is bounded by property: immediately to the west zoned Residential Medium (RM) in a major subdivision; immediately to the north zone Planned Development Overlay (PUD) in a major subdivision; to the east beyond marshlands zoned Office & Institutional (O-1) and General Commercial (B-2); and to the south beyond the 58-Bypass zoned Residential Low Medium (RLM) in a major subdivision.

## **2) NARRATIVE DESCRIPTION OF PROPOSED USES**

The property subject to this rezoning is intended to be reclassified from the Rural Residential (RR) district to the Residential Medium (RM) district. The resulting permitted density would change from 1 dwelling unit per acre to 4.4 dwelling units per acre. An optional concept plan has submitted with the resulting density yielding only 4.4 dwellings per acre. The intended residential subdivision will be an age-restricted community with all residents 55 years and older. The project at final buildout will consist of approximately 44 single-family-detached homes. The proffers submitted with the rezoning will also produce the traffic improvements proposed in the submitted Traffic Impact Assessment.

## 3. Narrative Statement of Reasons Why the Current Zoning is Incorrect

Rezoning Application for 400 Jonathan's Way, Suffolk

### Introduction

The subject property, a 26-acre parcel located at 400 Jonathan's Way, is currently zoned Rural Residential (RR). We are seeking to rezone the property to Residential Medium (RM) to develop an age-restricted, 55-and-older active adult community comprising approximately 44 single-family-detached homes. This proposal aligns with the Suffolk 2045 Comprehensive Plan and supports the City's goals for focused growth, diverse housing options, and efficient land use.

### Reasons for Rezoning

#### 1. Alignment with the Suffolk 2045 Comprehensive Plan

The Suffolk 2045 Comprehensive Plan and its Appendix underscore the city's objectives for sustainable development, population growth, and housing demand. Rezoning this parcel to RM is congruent with the plan's goals, as delineated below:

- **Promoting Higher Density Residential Development:** The RM zoning designation will facilitate dense residential development, thereby addressing the city's pressing need for diversified housing options (Suffolk 2045 Comprehensive Plan, p. 24).
- **Supporting Smart Growth Principles:** The proposed project will contribute to mitigating urban sprawl and encouraging more efficient land use by developing an infill parcel within a designated development area. This action supports both the Suffolk 2045 and the original Land Use Plan adopted by the merger of Suffolk and Nansemond. (Suffolk 2045 Comprehensive Plan, p.7).
- **Addressing Population and Housing Demand:** While only 23% of the City's current workforce is over 55, the entire state of Virginia is experiencing significant population growth, particularly among older adults who are increasingly seeking age-restricted communities. This segment of the population is expected to represent nearly 1/3 of Suffolk's population by 2028 (censusreporter.org). This rezoning initiative will be instrumental in satisfying the burgeoning demand for such housing while the number of residents who both live and work within the city will continue to increase (Suffolk 2045 Comprehensive Plan, p.76).

#### 2. Population and Housing Demand

The Comprehensive Plan and Comprehensive Annual Financial Report indicate that Suffolk's population has been consistently increasing, with a marked rise in the demographic of individuals aged 55 and older. The demand for age-restricted housing communities is projected to expand considerably in the forthcoming years. The proposed rezoning will:

- **Provide Much-Needed Housing:** The establishment of 44 single-family-detached homes will cater specifically to the needs of the 55+ demographic, addressing an essential housing shortage.
- **Enhance Community Infrastructure:** The development will incorporate amenities and services conducive to an active adult lifestyle, thereby fostering community engagement and supporting Suffolk's Guiding Values (Suffolk 2045 Comprehensive Plan, p.12).

#### 3. Principles of Smart Growth

The rezoning application adheres to several established principles of smart growth, including:

- **Mixed-Use Development:** The project will integrate residential units into an existing detached unit neighborhood. The new addition will also incorporate recreational and communal spaces, thereby fostering a cohesive and vibrant community (Suffolk 2045 Comprehensive Plan, p.23).

- Preservation of Open Space: The development will maintain significant portions of the land as open spaces, thereby promoting environmental sustainability and enhancing the aesthetic appeal of the community (Suffolk 2045 Comprehensive Plan, p.25).
- Transportation Options: The age restriction proffer will mitigate the typical increase in traffic resulting from development with comparatively less residents and thus less vehicles. The age demographic also has a higher utilization of alternative transportation methods and lower generation of trips in the traffic study.

## Conclusion

In light of the evolving needs of the City of Suffolk and the opportunities presented by the proposed development, the current RR zoning of the parcel at 400 Jonathan's Way has become inadequate. Rezoning to RM will enable the creation of a vibrant, age-restricted community that aligns with the Suffolk 2045 Comprehensive Plan, addresses critical population and housing demands, and adheres to the principles of smart growth. We respectfully request the City of Suffolk approve this rezoning application to facilitate the development of an active adult community, significantly enhancing the quality of life for its future residents and contributing positively to the city's growth and sustainability.

City of Suffolk  
 Department of Planning and Community Development  
**DISCLOSURE STATEMENT FORM**



<b>OFFICE INFORMATION: To be completed by staff</b>			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

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. The 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 Suffolk requiring action by the City Council or a City board, commission or other body.

<b>PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant</b>	
<b>Important Notice:</b> Only complete, hard-copy application forms with <u>original signatures</u> or <u>other approved written consent from all property owners</u> are accepted.	
<b>APPLICANT INFORMATION</b>	
Applicant Name: <u>Coastal Virginia Partners, LLC</u>	
Property Address(es): <u>400 Johnathan's Way</u>	
Tax Map Number(s): <u>26*7B</u>	
Account Number(s): <u>2531344000</u>	
Is Applicant the owner of the subject property? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Does the Applicant have a Representative? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, name of Representative: <u>Grady Palmer</u>	
Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business? <input type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):	
<u>Bob G. Arnette, Partner      Matt j. Howard, Partner</u>	

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

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**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/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 (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Real Estate Broker/Agent/Realtor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Linda Bass
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Engineer/Surveyor/Agent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tim Fallon
Legal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Grady Palmer

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

Property Owner Name: Allison C. Darden, Mark c. Cline, Shelby c. Atkins  
 (as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: \_\_\_\_\_

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/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
	(select one)		(Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Real Estate Broker/Agent/Realtor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Bobby Beasley, III, Lindsay Bilisoly</u>
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Legal Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	





**PUBLIC  
COMMENTS  
FOR  
RZN2025-009**



## Public Comment Form

Please be advised that this form is for public comment for RZN2025-009, Jonathan's Way, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Susan
Last Name	Lampe
Street Address	227 Jonathans Way
City	Suffolk
State	Virginia
Zip Code	23434
Comment	<p>Once again the planning and zoning committee I really need to listen to the citizens of Suffolk.</p> <p>Currently Suffolk has the highest growth rate compared to nearby cities. Does Suffolk need more neighborhoods / Apartments/ condos being built. The answer is NO!</p> <p>The builder first proposed 55 and over condos for this piece of land. The fire Marshall would not sign off on that proposal.</p> <p>We have lived in the Applewood community since 2002. The traffic in Suffolk area has gotten out of hand. What once was a 20-30 commute now takes 45 minutes on a good day. Add an accident ( which seems to happen often) you might as well tack on another 30 -60 minutes. Im surprised any of us still have employment with having to call our employer to let them know ONCE AGAIN we will be late clocking in.</p> <p>Im not sure where any of the city officials live that approve all these new building permits. But may I suggest get out and travel these roads in and out of Suffolk and different times of day including morning and afternoon commutes. Do that for a couple weeks and see how much you enjoy being held hostage by the traffic on our roadways.</p> <p>It is ridiculous the construction on 58 and other high traveled roads has not done anything but add to the big problem.</p> <p>Our schools are over crowded, teachers have too many students in their</p>

classrooms, and let's add the SEVERE shortage of BUS DRIVERS. Kids are left waiting at bus stops. More parents have been forced to take their kids to school so they can at least try get to work on time. So they are not left waiting on a bus that may or may not show up on time.

There is one main road in and out of our Applewood Farms neighborhood. Adding a neighborhood at the end of Jonathans Way will add excess traffic in and out of our neighborhood.

Most homes on average have 2 vehicles. 40 units=80 cars and so fourth.

ANY amount of more vehicles traveling Jonathans Way is too many.

There is already an issue of people not obeying the posted 25 mph. Speed limit and stop signs in the neighborhood.

Numerous cars that park along Jonathan's Way along with other streets in the community have been struck by other drivers vehicles over the years. And having a lot more cars traveling the neighborhood streets will lead to more accidents and hit and runs.

Personally I would prefer not to have that happen again to any of our vehicles. Adding more homes at the end of the main road in our community will increase those odds.

Building of another community with one main road in and out is a bad idea. It is not ideal for emergency vehicles. Adding more vehicles to that main road (average 2 per new household) it will increase daily traffic and lets not forget the addition of more traffic from their friends and visitors coming and going ,more delivery vehicles, and the list goes on.

Our community has several neighborhood parks that is STRICKLY for our residents. Our HOA DUES help pay for upkeep. Who is going to stop residents from this new proposed community ong with their friends and family from using our parks? Are they going to contribute to our HOA to offset wear and tear costs?

We have several adults and children in this neighborhood that ride their bicycles in the community adding more vehicles going through our neighborhood is going to make that more dangerous.

We have several residents that like to walk, run, and take their pets out for a stroll. Added traffic once again puts our residents at risk. Not to mention the added noise of more vehicles coming and going.

The proposed property currently has a beautiful Dutch colonial home which will be torn down so these new homes can be built. The property has water inlets on one side and route 58 on the other side. This property also is flanked by the nansemond river on the 3rd side. Followed by our neighborhood on the other. The current property has a long dirt/gravel driveway leading up to the current structure. The property leading up to the home has NOT BEEN mowed or taken care of since the previous owner passed away a few years ago. There are also downed trees.

The Construction on this property will take awhile to complete and the residents of Applewood Farms will have to deal with heavy equipment noise. Construction vehicles, construction workers entering and exiting our neighborhood on a daily. Did I mention there is ONLY ONE MAIN ROAD IN AND OUT OF OUR NEIGHBORHOOD...If you missed that I'm telling you again.

These contractors and builders try and entice the city to get their plans approved with adding funds to future road improvements. Perhaps these roads improvements need to happen FIRST before any thing else is approved. I have heard over the years of that after phase 1 is complete we won't start phase 2 until improvements

are made. So in otherwards.. they got what they wanted making \$\$ on phase 1 and moving onto another project throughout the city and phase 2 never starts. again with holding the carrot 🥕 in front of city officials by promising funds for improved roadways that have yet to take place. Godwin Blvd. Is a great example of a roadway that can not handle more daily traffic.

Suffolk is making lots of \$\$ on the speed trap cameras all over the city and increased property taxes. They do not need anymore greased pockets from these money hungry developers with empty promises.

The city officials really need to learn to say enough is enough and put a hold on all new builds until the city can get a grip on what is happening to our once beautiful city.

Adding traffic to the current roads that are not equipped to handle anymore, overcrowded schools, the shortage of BUS drivers can't handle the current routes.

Does the city have a plan to get the influx of more children in these new communities to and from school? And promise that those children will receive a good quality education. The answer is no!

The schools can not get people interested in even applying to drive school busses, and I dont blame people for not wanting to drive a school bus transporting the precious lives of our future generations in all the traffic, The roads that are not equipped to handle more vehicles let alone more school buses. But yet you keep approving these builds and adding to the problem.

And I'm sure recruiting great teachers has been tough also. Teachers dont want to come and work in over crowded classrooms. The children and citizens of Suffolk are getting the short end of the stick.

New Families want great schools for their children. The over crowded schools that already exist are not going to entise more people to relocate to the area. Lets fix the current problems in this city and stop adding to it.

I'm almost certain that if more current residents could afford to move out of Suffolk they would. Most moved to this area because of the way the city use to be and how it use to look. It is far from that today. Suffolk has lost its country charm and appeal. There is no one to blame except for the city officials and employees that have been in charge of signing off on all of these building permits, and rezoning request, and so on.

Shortly after we moved to this area. obici added 200 more beds because there was a shortage and a need. Im sure that shortage and need has gotten worse with all the approved housing developments. There is no way 200 beds then is sufficient now. We probably need at least triple that.

The new developments are also putting a strain on our police, fire and rescue personnel. I know I certainly hear way more sirens now than we use to when we first moved here. The added traffic also hinders them from doing their job in a timely manner. They are left to maneuver the same roadway gridlocks like the rest of us. bumper to bumper vehicles makes it harder for them to do their job when time is so precious in emergency situations.

Start listening to the citizens of Suffolk! We DO NOT want more housing built.

Go on social media and read all the daily gripes and complaints the citizens have. Im sure if these rezoning and approval meetings happened in the evenings more citizens would be there in masses opposing all these plans. Its hard for most to take time off work to attend your meetings. Enough is enough.

There was a recent study done and the study found that people relocating to the tidewater area is WAY down. And below the national averages.

So why are you approving all of the contracts? The relocating numbers are not expected to get any better.

There is nothing left to make this area desirable. Green space and country spaces have become nothing but asphalt and cheaply built housing with neighbors on top of neighbors. And the roadways are nothing but daily parking lots.

Please GET OUT into the community. Travel these roads, sit in traffic with the rest of us. Go visit each and every one of these newly proposed plan sites. Trust me... these proposed sites will look a lot different in person than it does on paper.

If this proposed neighborhood is approved; The homeowners wanting to sell in our neighborhood especially those homes along Jonathans Way will have a harder time selling them because of the added traffic and noise caused by a new housing development. Property values will probably decrease as well because the added traffic will make our neighborhood less and less desirable.

We already have to deal with more noise from 58 due to more vehicles and big trucks traveling down the highway. And with the new warehouses being built the truck traffic and noise is only going to increase. And the daily commutes for all of us in Suffolk is destined to get worse.

My family and I are fully opposed of a new housing development of ANY KIND being added to the property at the end of Jonathans Way.

Please do not approve the development plans or any future plans for this property at the end of Jonathans Way.

The city would be better off to purchase this land from the Cline Heirs and develop it into a beautiful waterfront park. We do not need or want a housing development attached to our neighborhood.



## Public Comment Form

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All comments provided will be made available to Planning Commission members, City Council members, and the general public.

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First Name	Chris
Last Name	Wilkins
Street Address	240 Jonathans Way
City	Suffolk
State	Virginia
Zip Code	23434

**Comment**

Here we are again, with the developer trying to add 43 new homes to the back of neighborhood that already has more than 200 and only a single way in and out. This is a neighborhood that already has too much, and too fast, traffic through it, with these new homes desired at the end of straight road that begs for irresponsible speeding down what we non-affectionately refer to already as Jonathans SPEEDWay. Now we want to add another 80+/- vehicles to the back of this, further endangering lives and property along our street.

This new development doesn't really address any of the concerns that I recall brought up by the Fire Department, City planners and others that I recall from the last attempt. Yes, there is a slight reduction of the number of proposed units and changing from multi-family townhomes to "single-family" homes that are within spitting distance of each other, but it is still adding a huge burden to existing infrastructure to a single ingress and outgress point, thinking of Applewood Farms itself, not even getting to the single ingress and outgress of the combined Applewood and Burnetts Mill, which is already a dense neighborhood.

I really try to figure out the "55-Plus" schtick of this developer plans, and the best that I can hypothesize is that this is an attempt by the developers for a bait and switch to make a large collection of small, high density homes more palatable to city planners than just a development of small, high density homes. In my experience, 55-Plus communities typically come with some sort of services or activities. This proposal and the other one? Nothing, just a bunch of houses packed together. No pool. No fitness center. No community center. I just can't help but feel that this is a cynical bait and switch plan by a developer to use the "respectability" of a retirement community to sneak in a bunch of homes built in an area that can't support it to inevitably cease being a 55-Plus community. No that it is any better as a 55 plus

community or not, but this is the only reason I can see for building a 55-plus community without a single feature typical to those types of communities.

In any case, this is a small, relatively quiet neighborhood that can already not really handle the traffic that it has, and I implore you to not let this rezoning take place, in keeping with the prior findings of all of the reviews. They said before that they can build, by rights, I think 17 single family homes back there. Let them go for it. 30+/- more cars is still not ideal, but it's better than 80+/- . Do not let this developer try to overbuild on this property adding more value to their bottom line with no benefit to the neighborhood that's been here for 30 years and no real benefit to the city.

Thank you!



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First Name	Misty
Street Address	104 Pippin Dr
City	Suffolk
State	Virginia
Zip Code	23434
Comment	I do not think building in a flood zone would be a wise idea. Traffic in this location does not need to be increased, and the property values for the area would become skewed and make sales more difficult going forward. Please consider this land being used as a wildlife refuge.



# Public Comment Form

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First Name	David
Last Name	Lampe
Street Address	227 jonathans Way
City	Suffolk
State	Virginia
Zip Code	23434
Comment	<p>I strongly oppose the rezoning of this property.</p> <p>The land in question is in a flood zone. Nansemond river on the end. Both sides of the property has some inlets from the nansemond river.</p> <p>Also next to the property is route 58.</p> <p>The other end of the property is a hoa residential family detached home neighborhood. The neighborhood has one road in and one road in and out . There is already a lot of traffic from our fellow neighbors. Most of which have more than one vehicle.</p> <p>Even if this proposed property if age 55 and over that add numerous more cars traveling Jonathans Way on a daily. Just like our neighbors the people moving into those homes will probably have more than one car.</p> <p>That is more traffic that we will have to deal with. There are several residents that park along Jonathan's Way in front of their homes. And numerous cars have been struck over the years. The neighborhood is posted 25mph. Not many follow that speed.</p> <p>Adding more traffic will put the neighborhood children at risk of also being hit by a vehicle.</p> <p>The added noise from those added cars. And the daily noise from construction vehicles and workers will also add to noise making it a nuisance.</p> <p>There are also wildlife that live around the property in question. AND more run off and pollution going into the river.</p> <p>There are already numerous 55 and older neighborhood. The city Does not need any more.</p> <p>The traffic around the city is already terrible. And everyone's daily commute has more than doubled. Quit adding to the problem and STOP allowing these builders permission to build. I suggest halting all builds until the roads are adequate, because right now they are not.</p>

Schools, and hospitals are already crowded. So again please listen to the suffolk residents all over the city and just say NO to all these builders.the residents are FED UP!

2



## Public Comment Form

Please be advised that this form is for public comment for RZN2025-009, Jonathan's Way, only.

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All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Darnell
Last Name	Johnson
Street Address	106 Chenango Court
City	Suffolk
State	Virginia
Zip Code	23434
Comment	I think it's totally bull to add more houses to an already over populated area.



## Public Comment Form

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First Name	Elicia
Last Name	Wilkins
Street Address	240 Jonathans Way
City	Suffolk
State	Virginia
Zip Code	23434
Comment	Single family homes are a better plan than the original townhouses/condos the developers tried push through, but building 43 houses in that space at the end of a large neighborhood with one point of entry/exit is reckless. If all homes have one car and as few as half have two cars, that's an extra 64 cars running down Jonathan's way and tying up the short road at the stoplight to Godwin Blvd. Who will ensure that residents stay in their neighborhood and don't come into Applewood Farms HOA maintained areas? What effect will these tiny, squashed together homes have on the property values of Applewood Farms homes? What will the affect be to our utilities (disruptions, increased costs)? How about drainage in that area? Again, squeezing every spare inch of building into that space is reckless.

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK TO CHANGE THE ZONING FROM RR, RURAL RESIDENTIAL ZONING DISTRICT, TO RM, RESIDENTIAL MEDIUM DENSITY (CONDITIONAL) ZONING DISTRICT, FOR PROPERTY LOCATED AT 400 JONATHANS WAY, ZONING MAP 26, PARCEL 7B, ACCOUNT NUMBER 253134400; RZN2025-009 (CONDITIONAL)**

WHEREAS, Bob Arnette, Coastal Virginia Partners, LLC, applicant, on behalf of Shelley C. Atkinson, Alison C. Darden, and Mark G. Cline, property owners, has requested to rezone and amend the official zoning map of the City of Suffolk from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District, on property located at 400 Jonathans Way, Zoning Map 26, Parcels 7B, which land is depicted on Exhibit “C”; and,

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

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

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the 20<sup>th</sup> day of May, 2026, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

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

Section 1. Exhibit "A," "Planning Commission Recommendation", Exhibit "B," "Voluntary Proffer Statement", Exhibit "C," "Property Map", Exhibit "D," "Jonathans Way Rezoning Exhibit," which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

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

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by population, economic, and other studies;
6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas or other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City; and,
13. the expressed purpose of the City's Unified Development Ordinance (UDO), as set out in Section 31-102 of the UDO, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

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

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2045 Comprehensive Plan as adopted by City Council on December 18, 2024.

Section 3. Rezoning.

1. The conditions proffered in the attached Exhibit "B" be, and are hereby accepted.
2. The property as shown on the attached Exhibit "C" is hereby conditionally rezoned and the official zoning map be, and is hereby, amended from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District.
3. The foregoing rezoning and amendment to the official zoning map are expressly made subject to the performance of the conditions

hereby proffered and accepted. These conditions shall remain in effect until a subsequent amendment changes the zoning of the property; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.

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


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

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_

Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**EXHIBIT "A"**

**RESOLUTION NO. 26-04-02**

**CITY OF SUFFOLK PLANNING COMMISSION**

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO REZONING REQUEST  
RZN2025-009 (CONDITIONAL)  
TO CHANGE THE ZONING FROM RR, RURAL RESIDENTIAL ZONING DISTRICT,  
TO RM, RESIDENTIAL MEDIUM DENSITY (CONDITIONAL) ZONING DISTRICT,  
FOR PROPERTY LOCATED AT 400 JONATHANS WAY, ZONING MAP 26, PARCEL  
7B, ACCOUNT NUMBER 253134400**

**WHEREAS**, Bob Arnette, Coastal Virginia Partners, LLC, applicant, on behalf of Shelley C. Atkinson, Alison C. Darden, and Mark G. Cline, property owners, has requested to change the zoning from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District, on property located at 400 Jonathans Way, Zoning Map 26, Parcel 7B; and

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

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

Section 1. Findings.

- A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the City;
  2. the Comprehensive Plan;
  3. the suitability of the property for various uses;
  4. the trends of growth or change;
  5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
  6. the transportation requirements of the community;
  7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City;
13. the expressed purpose of the City's Unified Development Ordinances as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended ("Va. Code").

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

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2045 Comprehensive Plan as adopted by City Council on December 18, 2024.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the request, RZN2025-009 (Conditional), be:

- a. Granted as submitted, and the City Council adopt the proposed Ordinance without modification.
- b. Denied, and that Council not adopt the proposed Ordinance.
- c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND PASSED: April 21, 2024

TESTE: 

VOLUNTARY PROFFER STATEMENT

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

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s) 26\*7B, Block Number \_\_\_\_\_, Account Number(s) 2531344000.

- 1) The property owner shall construct no more than 43 detached residential condominium units.
- 2) Except for the existing house on the subject property, all residential units shall be developed and used solely as an age restricted active adult community that houses couples in which at least one person is fifty-five (55) years of age or older and/or single persons who are fifty-five years of age and older in accordance with the Fair Housing Act. Under no circumstances shall a person under the age of eighteen (18) years of age reside in any dwelling unit except for the existing house. The condominium association governing the development shall be solely responsible for enforcing these residency requirements.
- 3) Roofing shall be copper, metal, or fiberglass architectural style shingles which carry a 30-year warranty.
- 4) Materials for the front, sides, and rear of the homes shall be brick veneer, stone, stamped concrete cement-based siding, high quality vinyl siding cement-fiber board siding. Vinyl siding to be a minimum of 0.046-inch thick and may be overlapped or beaded siding.
- 5) All units shall have a minimum of 1400 square feet of living space.
- 6) All units shall have a crawl space or raised/elevated slab foundation
- 7) All proposed and existing dwellings shall be equipped with an approved automatic sprinkler system in accordance with the 2021 International Fire Code Section D107.1
- 8) The property owner shall make road improvements as outlined in the approved Traffic Impact Analysis (TIA), prepared by Charles Smith, P.E, EPR dated January 2026.
- 9) As described in the Traffic Impact Analysis in Section 5 and Table 5B, 11 single family units are allowed by right, which equates to 17 age restricted units. Occupancy for these 17 condominium units is proposed without limitation. A cash contribution of \$26,875.00 shall be made prior to issuance of the 18<sup>th</sup> condominium Certificate of Occupancy . The \$26,875.00 shall be dedicated toward the Godwin Boulevard Corridor Improvements Project.

Applicant Signature: 

Date: 4/20/26

Property Owner Signature: 

Date: 4/14/26

Property Owner Signature: \_\_\_\_\_

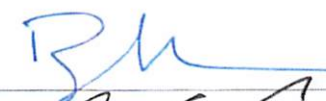
Date: \_\_\_\_\_

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Applicant Signature: 

Date: 4/20/24

Property Owner Signature: 

Date: APRIL 15, 2026

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner Signature: Shelly C Atkinson

Date: 4/15/26

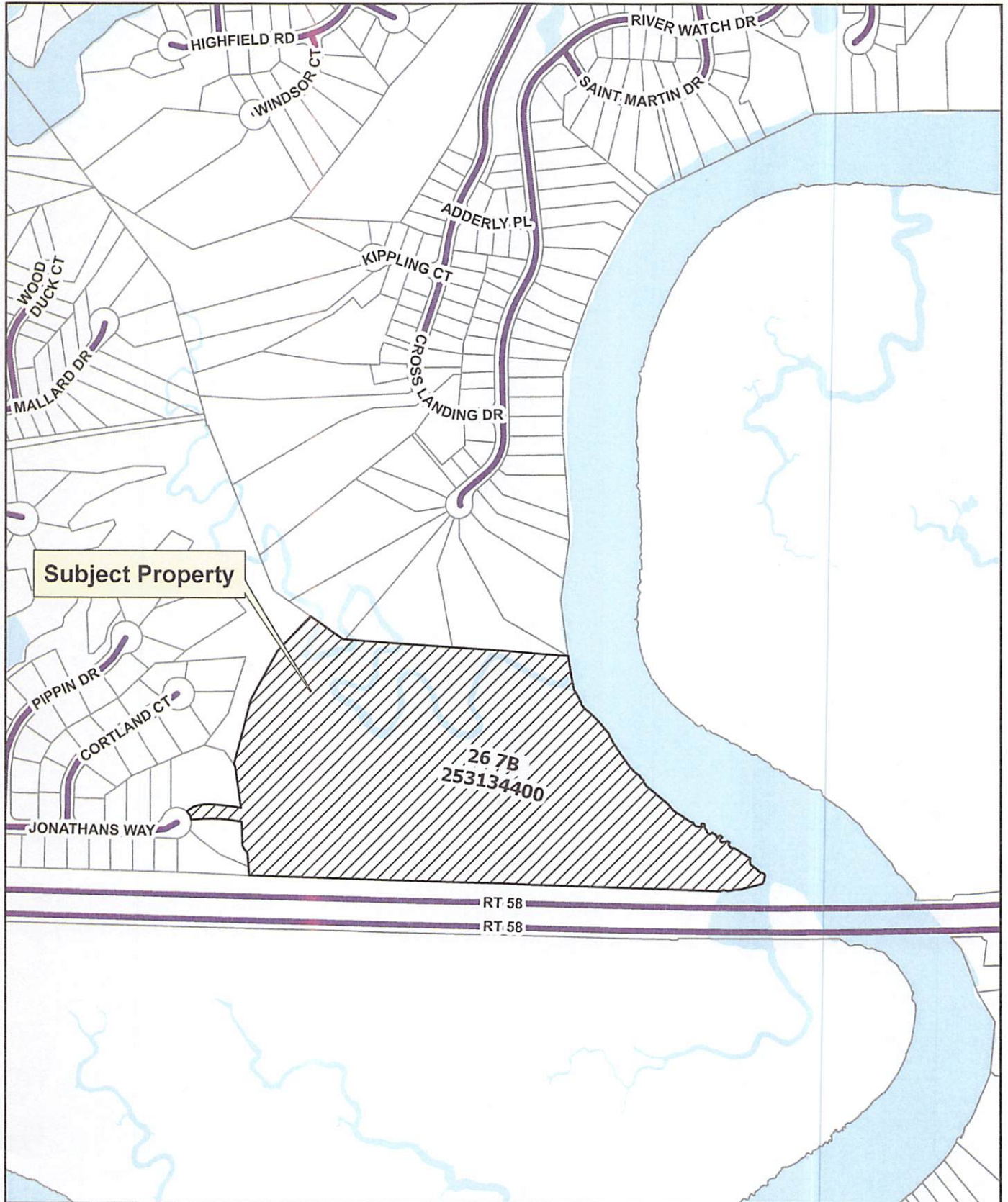
Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

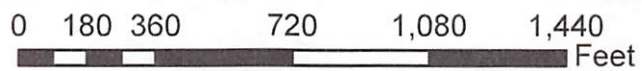


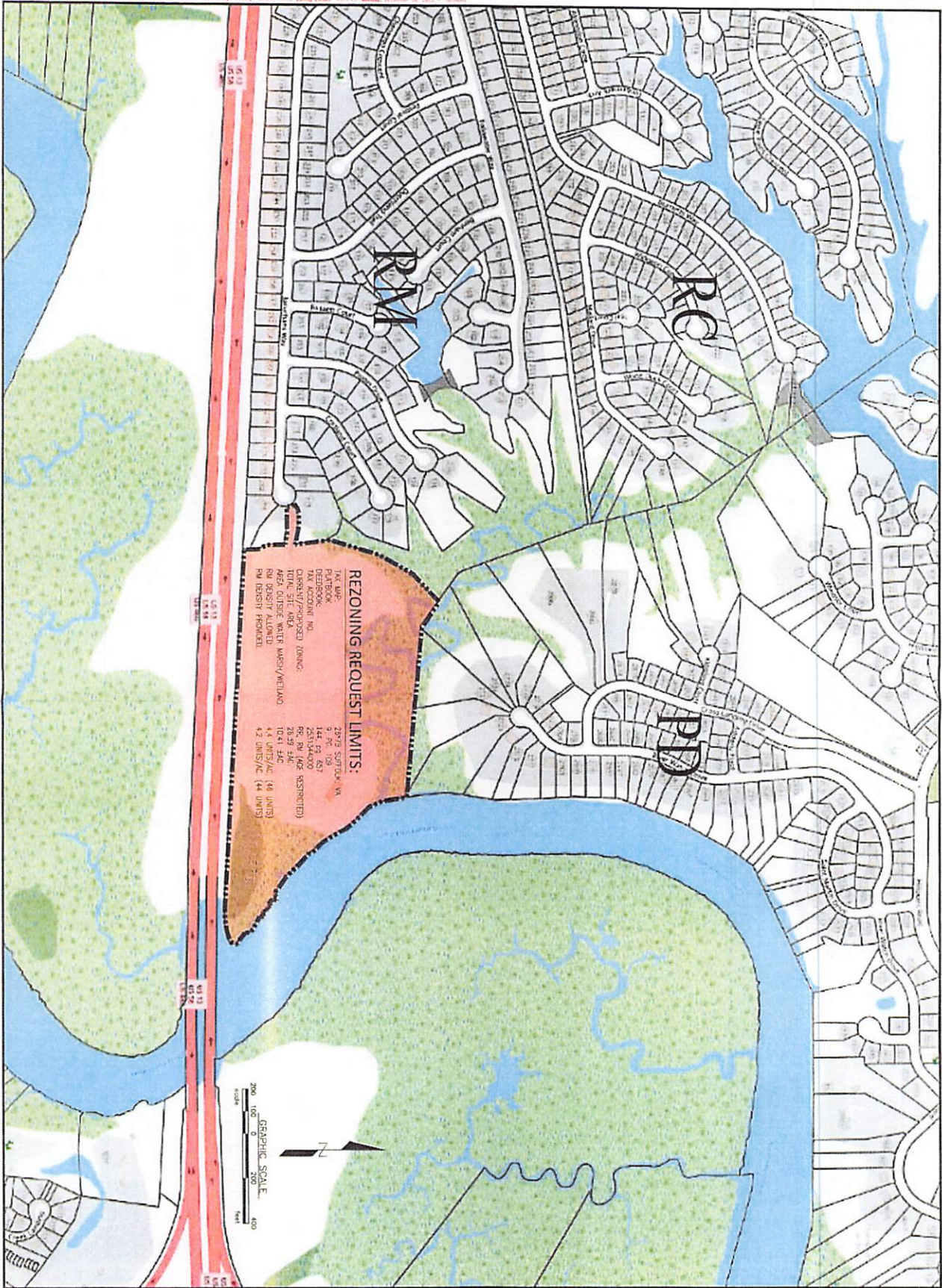
# PROPERTY MAP RZN2025-00009

EXHIBIT C



Author: KOSSAI  
Date: 12-18-2025





**REZONING REQUEST LIMITS:**

PKL MAP: 2872 SUFFOLK, VA  
 PERMITS: 144, 53, 257  
 DESIGN: 257, 54, 400  
 CURRENT/PROPOSED ZONING: RM, PD (RESTRICTED)  
 TOTAL SITE AREA: 70.51 AC  
 AREA OUTSIDE WATER MASS/WEIR: 4.2 UNITS/AC (4 UNITS)  
 RM DENSITY PROVIDED: 4.2 UNITS/AC (4 UNITS)

12/8/25  
 REZONING  
 EXHIBIT

COASTAL DEVELOPERS, L.L.C.  
 JONATHAN'S WAY

**JONATHAN'S WAY/CLINE**

400 JONATHAN'S WAY  
 SUFFOLK, VIRGINIA



5815 PORTSMOUTH BLVD. - PORTSMOUTH, VIRGINIA 23701  
 P/313 293 8747, F/293 8746  
 www.coastalva.com

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to grant a Conditional Use Permit to establish vehicle rentals-passenger vehicles only, use on property located at 5665 Shoulders Hill Road, Zoning Map 12, Parcel 55\*1D, Account Number 301204000; CUP2025-013

Attached for your consideration is information pertaining to Conditional Use Permit request CUP2025-013, submitted by Melissa Lounsbury, applicant, on behalf of Barry Saunders, property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish vehicle rentals-passenger vehicles only, use on property located at 5665 Shoulders Hill Road at Zoning Map 12, Parcel 55\*1D. The affected area is further identified as being located in the Sleepy Hole Voting Borough, zoned B-2, General Commercial Zoning District and SCOD, Special Corridor Overlay District. The 2045 Comprehensive Plan designates this area as part of the Northern Growth Area, Commercial Corridor Land Use Type.

The Planning Commission, at their April 21, 2026 meeting, through Resolution No. 26-04-03, voted 6 to 0 (Commissioners Hicks and Goodman absent) to recommend **approval** of this request with conditions. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning / Land Use Map
- Narrative
- Disclosure Form
- Public Comments
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Site Layout Plan
- Exhibit D – Landscape Plan
- Exhibit E – “Enterprise Mobility”, Elevations Package

# STAFF REPORT

## DESCRIPTION

**CONDITIONAL USE PERMIT REQUEST:** Conditional Use Permit request, CUP2025-013, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish vehicle rentals-passenger vehicles only.

**APPLICANT:** Submitted by Melissa Lounsbury, applicant, on behalf of Barry Saunders, property owner.

**LOCATION:** The subject property is located at 5665 Shoulders Hill Road, Zoning Map 12, Parcel 55\*1D.

**PRESENT ZONING:** The subject property (T.M. 12\*55\*1D) is zoned B-2, General Commercial zoning district and SCOD, Special Corridor Overlay District.

**EXISTING LAND USE:** The subject property totals 1.39 acres and is primarily vacant, with grassy area and a vacant existing structure.

**PROPOSED LAND USE:** The applicant proposes to establish an Enterprise car rental facility.

### **SURROUNDING LAND USES:**

- North: Bennett's Creek Crossing, zoned B-2, General Commercial Zoning District.
- South: Caliber Collision auto body shop zoned B-2, General Commercial Zoning District.
- East: Shoulders Hill Road, with a mix of businesses and apartments beyond zoned B-2, General Commercial and RU, Residential Urban Zoning District.
- West: Single family attached dwellings under construction within the Rollingbrook Villas development zoned RU, Residential Urban Zoning District.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as part of the Northern Growth Area, Commercial Corridor Land Use Type.

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

**FLOOD PLAIN:** The property falls within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel 5101560127E of the City of Suffolk, Virginia 2015 Flood Map.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent April 17, 2026 and May 15, 2026.

**CASE HISTORY:** The subject property contains vacant structures once used for storage. The storage operation ceased and structures abandoned in 2020, and the property has not been utilized since.

On September 9, 2025, the Board of Zoning Appeals granted a variance (BZA 16-2025) which permitted the reduction of the Special Corridor Overlay District (SCOD) rear yard setback from thirty (30) feet to twenty (20) feet. A condition of approval to the variance states that a six (6) foot solid fence shall be installed and perpetually maintained along the rear property line adjacent to the residential zoning district.

### **STAFF ANALYSIS**

#### **ISSUE**

The applicant is requesting a Conditional Use Permit (CUP) to establish an Enterprise car rental facility at 5665 Shoulders Hill Road. The applicant has stated that the facility will consist of car rentals, pick up and drop off, and a self-service car wash with vacuums. The proposed self-service car wash will be utilized by staff and not available to the public. The applicant is proposing to relocate from existing Enterprise branch facility in Chesapeake to the subject property in Suffolk. The existing aforementioned Enterprise branch averages 1,825 rental transactions per month and anticipates the customer transaction volume will remain the same at the proposed location in Suffolk.

The proposed site will be developed with an office and rental building approximately 2,259 square feet in size. The applicant states the rental facility will be staffed with ten (10) employees. The facility will have the following operating hours;

Monday- Friday: 8:00 a.m. – 6:00 p.m.

Saturday: 9:00 a.m. – 12:00 p.m.

Sunday: 10:00 a.m. – 2:00 p.m.

The applicant anticipates minimal site traffic as most customer visits are by appointment and staggered throughout the day. For customer convenience, after-hour returns are permitted, and a customer returning a rental vehicle after-hours will utilize a secure key drop box located at the front entrance. There will be no employees on-site during after-hour returns, the staff the following morning will retrieve the keys and process the returns.

#### **CONSIDERATIONS AND CONCLUSIONS**

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a Conditional Use Permit be obtained for a vehicle rentals – passenger vehicles only, including recreational vehicles, use within the B-2, General Commercial Zoning District. The proposed Enterprise rental car facility is classified as such, requiring the approval of a CUP prior to construction and operation.
2. A traffic memorandum was submitted with the application. Road frontage improvements will be required along Shoulders Hill Road, inclusive of curb and gutter, and a multi-use path. Along with the installation of a right turn lane on Shoulders Hill Road and a single driveway entrance to the subject property. As described further in this report, the proposed turn lane and driveway will not conflict with the City's current widening project along this section this

Shoulder Hill Road. The Department of Public Works' Traffic Engineering Division has reviewed this traffic memorandum and this request and did not express any concerns.

3. The subject parcel will be served by public water and sewer. The Enterprise facility will have restrooms and a single-car tunnel car wash. The site appears to have adequate water capacity to serve both the facility building and the car wash. The Department of Public Utilities has reviewed this request and did not express any concerns.
4. An Environmental Site Assessment (ESA) was submitted with this request. The Department of Public Works' Engineering Division has reviewed the request and has no concerns.
5. The Department of Public Works' Engineering Division has reviewed this request and has no comments regarding proposed stormwater management or erosion and sediment control. The subject parcel will be served by an underground stormwater detention system. The applicant provided a geotechnical report to ensure the underground stormwater detention pond will adequately function and serve the proposed use prior to site plan review.
6. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit provides a means of authorizing certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a Conditional Use Permit by City Council when the right set of circumstances and conditions are found acceptable.

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

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

Passenger vehicle rentals are listed as a conditional use in the B-2 zoning district and are required to comply with the development criteria set forth in Article 6 of the UDO. As previously stated, the applicant was granted a variance from the standard 30-foot rear yard SCOD setback from the Board of Zoning Appeals (BZA), on September 9, 2025. The variance reduced the rear yard setback to 20 feet. A condition of approval for the variance is, a 6-foot solid fence shall be installed and perpetually maintained along the rear property. This fence is depicted on the applicant's concept plan and will be installed in conjunction with the Enterprise facility. The proposed development will be required to demonstrate compliance with all UDO requirements at the time of site plan review.

- b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally*

*permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

According to the 20245 Comprehensive Plan, the subject property is designated as Commercial Corridor Land Use Type. One intent of the Commercial Corridor designation is to accommodate a wide range of commercial uses appropriate for the specific area and to encourage new buildings to be located near the primary street. Appropriate primary uses for the Commercial Corridor Land Use Type are retail, restaurant, and personal services. The proposed Enterprise facility adheres to the intent of the Commercial Corridor by providing a service to the surrounding community. Additionally, the development of the subject property would provide connection to surrounding pedestrian infrastructure, which is an intent of the Commercial Corridor Land Use designation. Therefore, the proposed use is consistent with the Comprehensive Plan and will not be more injurious to the neighborhood than other uses permitted as a matter of right.

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

As previously mentioned, road frontage improvements will be required along Shoulders Hill Road. One of the improvements will be installing a right turn lane to provide ingress and egress to the subject parcel, along with a right in, right out entrance to the subject parcel onto Shoulders Hill Road. Note that the subject property is adjacent to a section of Shoulder's Hill Road being widened to four lanes as part of the on-going Bridge Road/Shoulders Hill Road widening and improvement project being completed by the City. The concept plan depicts a right-of-way dedication along the road frontage to accommodate the widening improvements, along with a multi-use path. As noted in the traffic memo, the Institute of Transportation Engineers (ITE) Trip Generation Manual does not provide trip generation figures for car rental businesses, so the applicant analyzed traffic counts at its current Chesapeake facility to estimate daily trips for the proposed Suffolk facility. This exercise resulted in 132 anticipated daily trips, with 38 trips at the AM peak hours and 42 trips at the PM peak hour. Shoulders Hill Road is an arterial road carrying about 14,000 daily vehicle trips, and the proposed Enterprise facility is not anticipated to negatively impact traffic patterns on this section of Shoulder' Hill. While the Enterprise facility will have capacity for 41 rental cars, customers typically schedule appointments to pick up or drop off rental cars, resulting in staggered customer traffic throughout the day. Additionally, in the narrative provided by the applicant, Enterprise offers a customary shuttle bus service for the customers, which will further reduce proposed vehicle trips generated by the proposed use. To ensure adequate traffic circulation will be maintained along drive aisles within the subject parcel, a condition of approve is all rental vehicles shall be stored in designated parking spaces.

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

The proposed vacuum-car wash combo will be located at the rear of the parcel. The cleaning services will occur inside the proposed building, which will be behind the proposed office building. By conducting vacuuming and car washing inside, potential vibration and noise generated from the vacuum-car wash combo will be minimized. Note a condition of the aforesaid variance granted by BZA requires a six (6) foot solid fence to be installed behind the vacuum-car wash combo, which further reduces any anticipated vibration or noise generated by the vacuum-car wash that could impact the adjacent residential property. Therefore, the proposed use is not anticipated to be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

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

The proposed use is not expected to be injurious to the use and enjoyment of the properties in the immediate vicinity. To the immediate north and south of the subject property are parcels zoned B-2, General Commercial zoning district. To the immediate south, there is an existing car collision repair service, Caliber Collision, which is permitted by-right in the B-2 zoning district. The proposed use of a vehicle car rental facility is consistent with the existing commercial properties surrounding the subject parcel. Since the subject property is located within SCOD additional landscape screening will be required to minimize any adverse impacts of the proposed use. As previously mentioned there will be a six (6) foot solid fence providing additional screening at the rear of the subject parcel, which shall sufficiently screen from the residential development behind the proposed Enterprise.

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

The proposed use is not expected to impede orderly development and improvement of the surrounding properties. The subject property is located along Shoulders Hill Road, which is a major arterial road and is designated as a Commercial Corridor in the 2045 Comprehensive Plan. The zoning for the subject parcel is B-2, which permits by-right uses more intense than a vehicle rental service such as vehicle sales, automobile repairs, and shopping centers. Vehicle sales are more intense of use than vehicle rentals because dealerships typically stay open later, have more outdoor displays, and require additional lighting. A shopping center would generate more average daily vehicle trips than a vehicle rental service. As previously mentioned, the adjacent parcel to the south is an automobile repair service which is permitted by-right in the B-2 zoning district. The proposed vehicle rental use will be compatible with the surrounding uses and the community. The subject property is also located within SCOD which requires additional landscaping to provide sufficient screening on the use from the public right of way.

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

The proposed use is not anticipated to be detrimental to or endanger the public health, safety, or the general welfare of the community. The proposed Enterprise facility is anticipated to generate lower volume of traffic, as most customer visits will be by appointment. To minimize any chance for junk vehicles to accumulate on the property, a condition of approval is proposed that requires all rental vehicles store on site to be in working condition, with up-to-date state inspection decals and license plates.

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

The public interest and welfare are not anticipated to be compromised by the proposed Enterprise car rental business. As previously stated, the proposed use conforms with the 2045 Comprehensive Plan, as the subject property is designated as a Commercial Corridor. Also, the subject property is zoned B-2 and the proposed use is in alignment with the intent of the zoning district.

### **RECOMMENDATION**

It is staff's opinion that the site in question is appropriate for the proposed passenger vehicle rental business. The proposed use is aligned with the Commercial Corridor land use designation in the 2045 Comprehensive Plan and the proposed use is compatible with the existing businesses along this section of Shoulders Hill Road. The vehicle rental is not anticipated to have adverse impacts to the surrounding community and neighborhood, given the proposed conditions of approval that are designed to prevent junked cars, landscaped buffers, and prohibit vehicle repairs on site. Therefore, staff recommends the Planning Commission forward Conditional Use Permit Request CUP2025-013 to City Council with a recommendation of **approval**. Should the Conditional Use Permit application be approved, the following conditions are recommended with all Ordinance and Code requirements and to ensure compatibility of the proposed use with the surrounding area:

1. This Conditional Use Permit is granted specifically to establish vehicle rentals-passenger vehicle only, on property located at 5665 Shoulders Hill Road; as identified in Exhibit B "Property Map".
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operation of the use shall comply with applicable codes, ordinances and regulations of federal, state and local government.
3. The use shall be in substantial conformance with the concept plan titled "Site Layout Plan" prepared by ATCS and dated February 27, 2026; as identified in Exhibit "C".
4. Buildings shall be constructed in substantial conform with the building elevations titled "Enterprise Mobility" prepared by TS3 Architects, PC and dated March 13, 2026; as identified in Exhibit "E".

5. All vehicles on-site shall be in an operable condition and shall display current valid state inspection decals and license plates.
6. No vehicle repairs shall be permitted on the subject property.
7. All rental vehicles shall be stored in designated parking spaces.
8. The car wash shall be for employee use only. The general public shall be prohibited from using the car wash.
9. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbance or construction activities on the property.

The Planning Commission, at their April 21, 2026 meeting, through Resolution No. 26-04-03, voted 6 to 0 (Commissioners Hicks and Goodman absent) to recommend approval of this request with conditions. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

#### Attachments

- General Location Map
- Zoning / Land Use Map
- Application Narrative
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Site Layout Plan
- Exhibit D – Landscape Plan
- Exhibit E- “Enterprise Mobility”, Elevations Package

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT  
CUP2025-013  
TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH VEHICLE RENTALS-  
PASSENGER VEHICLES ONLY, ON PROPERTY LOCATED AT 6556 SHOULDERS  
HILL ROAD, ZONING MAP 12, PARCEL 50\*1D, ACCOUNT NUMBER 301204000

WHEREAS, Melissa Lounsbury, applicant, on behalf of Barry Saunders, property owner, has requested a Conditional Use Permit to establish vehicle rentals-passenger vehicles only, on property located at 5665 Shoulders Hill Road, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 12, Parcel 20\*1D, which land is depicted on Exhibit "B", "Property Map".

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

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

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a Conditional Use Permit, as submitted or modified herein:

- a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c) Will be no more injurious to property or improvements in the neighborhood, or
- d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2025-013, be:

\_\_\_\_\_

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

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

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

READ AND ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

# **CONDITIONAL USE PERMIT**

**CUP2025-013**

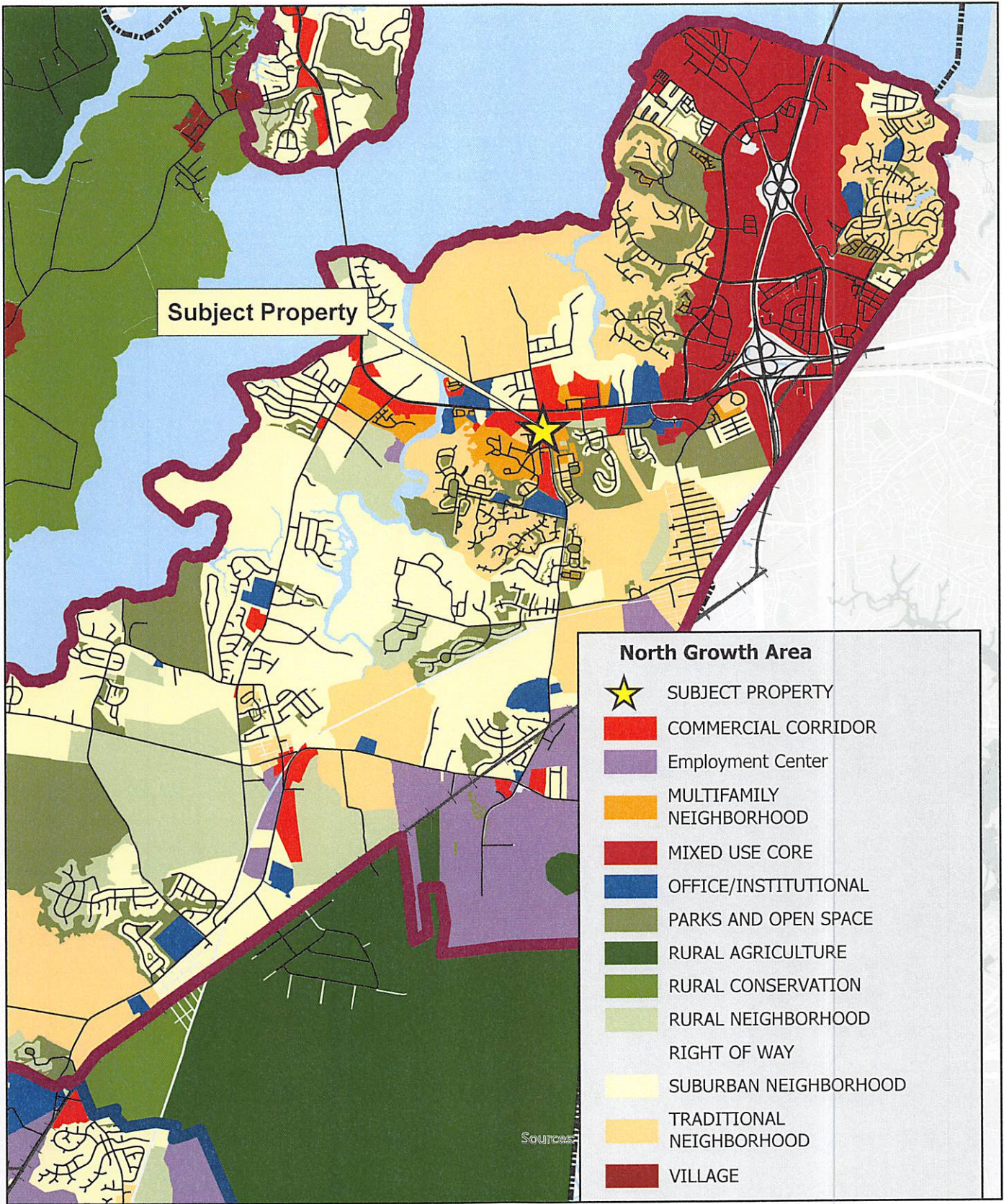
## **CONDITIONS**

1. This Conditional Use Permit is granted specifically to establish vehicle rentals – passenger vehicles only, on property located at 5665 Shoulders Hill Road, Zoning Map 12, Parcel 55\*1D; as identified in Exhibit “B”, “Property Map”.
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances, and regulations of federal, state, and local government.
3. The use shall be in substantial conformance with the concept plan titled “Site Layout Plan” prepared by ATCS and dated February 27, 2026; as identified in Exhibit “C”.
4. Buildings shall be constructed in substantial conform with the building elevations titled “Enterprise Mobility” prepared by TS3 Architects, PC and dated March 13, 2026; as identified in Exhibit “E”.
5. All vehicles on-site shall be in an operable condition and shall display current valid state inspection decals and license plates.
6. No vehicle repairs shall be permitted on the subject property.
7. All rental vehicles shall be stored in designated parking spaces.
8. The car wash shall be for employee use only. The general public shall be prohibited from using the car wash.
9. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbance or construction activities on the property.

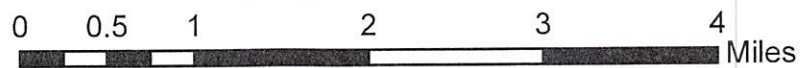


# GENERAL LOCATION MAP

## CUP2025-00013



Author: KOSSAI  
Date: 09-09-2025





# ZONING / LAND USE MAP

## CUP2025-00013

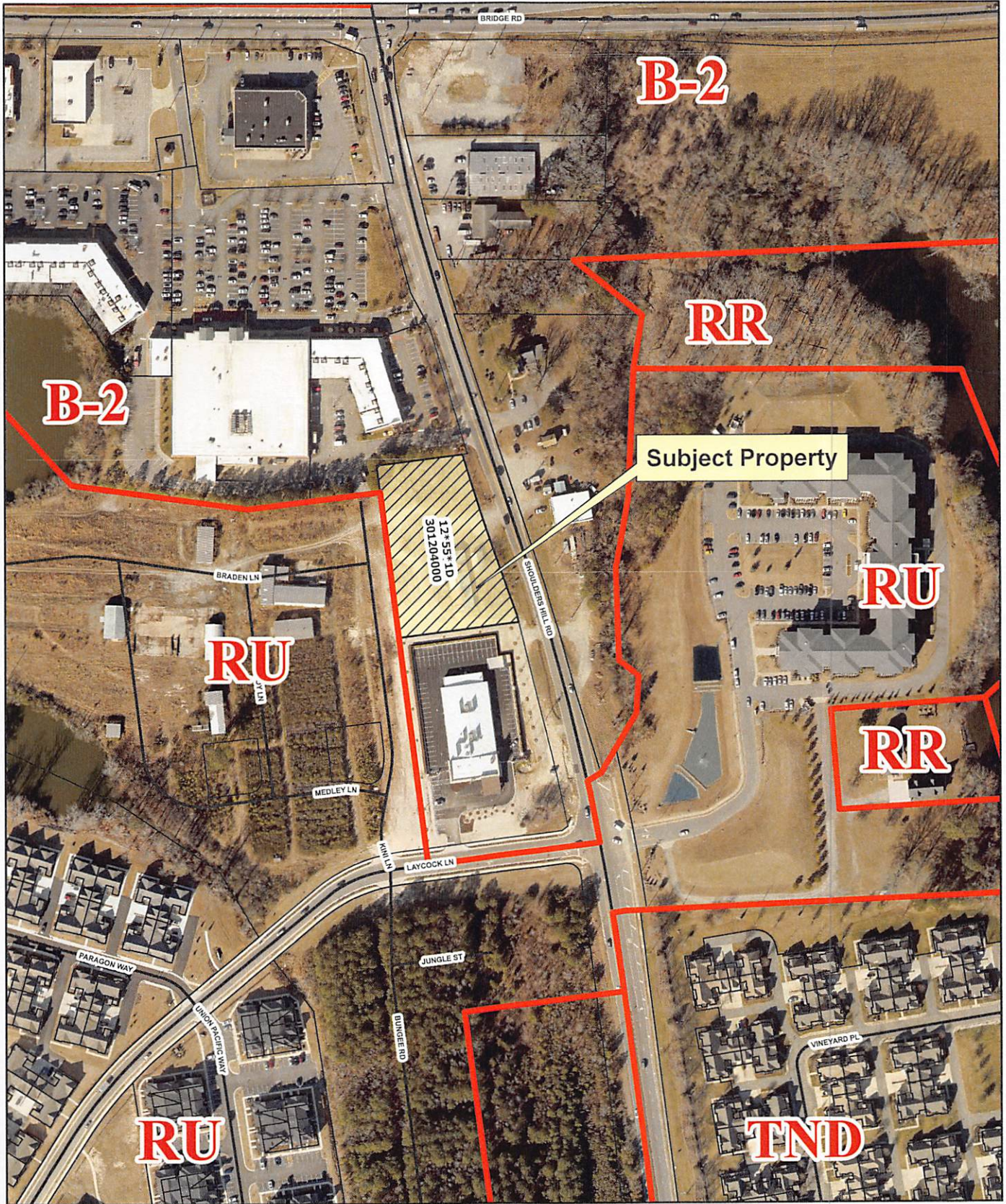
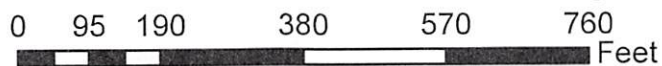


Image: Suffolk Pictometry 2024

Author: KOSSAI  
Date: 09-09-2025



## **Narrative Description**

Enterprise Leasing Co. of Norfolk/Richmond, LLC (“Applicant”) is the contract purchaser for the property owned by First Step, Inc. and located at 5665 Shoulders Hill Road, Suffolk, Virginia 23435 (Tax Map No. 12551D) (the “Property”). The Property consists of 1.3920 acres and is zoned B-2 General Commercial. The Property lies within the Special Corridor Overlay District.

Applicant seeks a Conditional Use Permit to allow the operation of a passenger vehicle rental facility on the Property. The Property will be improved and developed in accordance with the site plan titled “CLASS 1 SITE PLAN SITE LAYOUT PLAN ENTERPRISE RENTAL,” dated July 24, 2025, prepared by ATCS (the “Site Plan”). A copy of the Site Plan is submitted with this application.

On September 9, 2025, the Board of Zoning Appeals approved Variance BZA 16-2025, which reduced the required Special Corridor Overlay District rear yard setback from 30 feet to 20 feet (Article 4, Section 31-412(c) of the Unified Development Ordinance). The variance was granted with the condition that a 6-foot solid closed fence be installed and perpetually maintained along the rear property line adjacent to the residential zoning district and use. A copy of the BZA Resolution and Approval Letter for BZA 16-2025 is attached hereto.

## **Narrative Description of Proposed Use**

The applicant seeks approval for a conditional use permit to relocate an existing, well-established Enterprise Rent-A-Car branch from its current location at 3125 Western Branch Blvd, Chesapeake, VA 23321 to the subject property. The proposed use is a full-service vehicle rental facility with ancillary vehicle preparation and storage areas, consistent with Enterprise’s proven neighborhood branch model.

### **Hours of Operation**

- Monday – Friday: 8:00 a.m. – 6:00 p.m.
- Saturday: 9:00 a.m. – 12:00 p.m.
- Sunday: 10:00 a.m. – 2:00 p.m.

**Staffing** The branch will employ approximately:

- 5 full-time customer-facing employees
- 2 full-time and 2 part-time automotive detailers
- 1 part-time shuttle driver

Total on-site staff at any one time will typically range from 6–10 persons, with peak staffing occurring during normal business hours.

**Daily Customer Volume and Transactions** The existing branch currently averages 1,825 rental transactions per month, or approximately 60 customer visits per day (rentals and returns combined). This volume is anticipated to remain substantially the same at the new location. Customer visits are by

appointment or reservation in most cases; walk-in traffic is minimal. On average, approximately 33 rental vehicles are idle on the lot, with peak periods averaging 52 vehicles.

**Day-to-Day Operations of an Enterprise Rent-A-Car Neighborhood Branch** Enterprise's business model is distinctly service-oriented and built around convenience for the customer, particularly insurance replacement and local-use renters.

1. **Customer Service & Sales** A core differentiator for Enterprise is the complimentary pick-up and drop-off service. Employees routinely leave the branch to retrieve customers from their homes, workplaces, or area auto body shops and bring them to the branch to complete rental paperwork. To maximize efficiency and further reduce individual vehicle trips to and from the site, the branch utilizes a dedicated part-time shuttle driver who regularly carools multiple customers at once—most commonly to and from nearby body shops and collision centers. This consolidated shuttle service significantly minimizes the total number of customer-owned vehicles arriving on the property each day. Inside the branch, staff process reservations, prepare rental agreements, offer optional insurance products and upgrades, accept payment, and hand over keys. Returns are processed in the same courteous, efficient manner.
2. **Vehicle Preparation and Fleet Management** Every returning vehicle receives our required "Standard of Care" preparation (exterior wash, interior vacuum, and cleaning) before re-rental. These tasks are performed exclusively by employees inside dedicated on-site facilities: a single-bay automated car wash tunnel and a detached vacuum/detail bay with centralized equipment. The automated car wash is strictly for employee use only, is not open to the public, and serves solely to clean company-owned vehicles. It would be an accessory use incidental and subordinate to the site's principal permitted use of vehicle rental. No public detailing or customer vehicle washing is permitted on the lot. Vehicles awaiting rental, recently returned, or held for transfer are parked in designated fleet spaces.
3. **After-Hours Returns** For customer convenience, an illuminated, secure key drop box is provided at the front entrance. Customers returning vehicles outside of posted hours may park in designated return spaces, lock the vehicle, and deposit the keys and rental agreement in the drop box. No employee is on site during these drops, and the lot is well-lit and monitored by surveillance cameras. First-arriving staff the following morning retrieve the keys and process the returns.

**Overall Site Utilization** The property will consist of a modest office/customer lobby building, customer and employee parking spaces, rental fleet parking/display spaces, vehicle preparation bays (including the employee-only automated carwash), and the after-hours key drop area. The site will provide a total of 68 on-site parking spaces, with 19 spaces dedicated to customers and employees and the remaining 43 spaces allocated for car rental storage to accommodate vehicles returning from rentals, undergoing preparation for upcoming rentals, or awaiting transfer to another Enterprise location. All activities are contained within the premises, and the site is designed to accommodate the anticipated traffic in a safe and orderly fashion.

**City of Suffolk**  
**Department of Planning and Community Development**  
**DISCLOSURE STATEMENT FORM**



<b>OFFICE INFORMATION: To be completed by staff</b>			
Application Number:	CUP2025-00013	Project Name:	Enterprise Shoulders Hill Road
Project Address:	5665 Shoulders Hill Road	Date Submitted:	

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. The 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 Suffolk requiring action by the City Council or a City board, commission or other body.

**PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant**

**Important Notice:** Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.

**APPLICANT INFORMATION**

Applicant Name: Enterprise Leasing Co of Norfolk/Richmond, LLC

Property Address(es): 5665 Shoulders Hill Road

Tax Map Number(s): 12\*55\*1D

Account Number(s): 301204000

Is Applicant the owner of the subject property?  YES  NO  
 Does the Applicant have a Representative?  YES  NO  
 If yes, name of Representative: Williams Mullen - Tyler J Rosà, Esq.

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business?  YES  NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

PLEASES SEE ATTACHED LIST

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/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 (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/> <input checked="" type="checkbox"/>	Commonwealth Commercial, Stanton Mcduffie
Real Estate Broker/Agent/Realtor	<input checked="" type="checkbox"/> <input type="checkbox"/>	
Accounting/Tax Preparation	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Architect/Designer/Landscape Architect/Land Planner	<input checked="" type="checkbox"/> <input type="checkbox"/>	Covington Hendrix Anderson Architects, Jon Covington
Construction Contractor	<input type="checkbox"/> <input checked="" type="checkbox"/>	
Engineer/Surveyor/Agent	<input checked="" type="checkbox"/> <input type="checkbox"/>	ATCS, Richard Barnes (engineer)
Legal Services	<input checked="" type="checkbox"/> <input type="checkbox"/>	Williams Mullen, Tyler J. Rosa

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

Property Owner Name: FIRST STEP, INC

(as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidiary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

PLEASE SEE ATTACHED LIST

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: ENTERPRISE LEASING COMPANY OF NORFOLK/RICHMOND

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/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 (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____
Real Estate Broker/Agent/Realtor	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____
Legal Services	<input type="checkbox"/> <input checked="" type="checkbox"/>	_____

**APPLICANT CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

**Applicant Name (Print)**  
Enterprise Leasing Company of  
Norfolk/Richmond

**Applicant Signature**

**Date**

*[Handwritten Signature]*

7/31/25

By: Enterprise Leasing Co. of Norfolk/Richmond  
Name: Michael V. Bruce Its. VPIGM

**PROPERTY OWNER CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

**Property Owner Name (Print)**  
First Step, Inc.

**Property Owner Signature**

**Date**

*[Handwritten Signature]*

7/31/25

By: First Step, Inc.  
Name: Barry W. Landers Its. President

"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.

"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.

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH VEHICLE RENTALS – PASSENGER VEHICLES ONLY, USE ON PROPERTY LOCATED AT 5665 SHOULDERS HILL ROAD, ZONING MAP 12, PARCEL 55\*1D, ACCOUNT NUMBER 301204000; CUP2025-013**

WHEREAS, Melissa Lounsbery, applicant, on behalf of Barry Saunders, property owner, has requested a Conditional Use Permit to establish vehicle rentals –passenger vehicles only, use located at 5665 Shoulders Hill Road, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 12, Parcel 55\*1D, which land is depicted on Exhibit "B", "Property Map"; and,

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

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia and Sections 31-102 and 31-306(c)(1 through 8) of the Code of the City of Suffolk, with respect to the purposes stated in Sections 15.2-220 and 15.2-2283 of the Code of Virginia; and,

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

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

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", Exhibit "C", "Site Layout Plan", Exhibit "D", "Landscape Plan", and Exhibit "E", "Enterprise Mobility, Elevations Package" which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

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

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or

change, the current and future requirements of the community as to land for various purposes as determined by population, economic, and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestall land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of the vehicle rentals-passenger vehicle only, use is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The Conditional Use Permit for the property be, and is hereby approved for the property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The Conditional Use Permit specifically permits vehicle rentals, passenger vehicles only, in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit is granted specifically to establish vehicle rentals – passenger vehicles only, on property located at 5665 Shoulders Hill Road, Zoning Map 12, Parcel 55\*1D; as identified in Exhibit “B”, “Property Map”.
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances, and regulations of federal, state, and local government.
3. The use shall be in substantial conformance with the concept plan titled “Site Layout Plan” prepared by ATCS and dated February 27, 2026; as identified in Exhibit “C”.
4. Buildings shall be constructed in substantial conform with the building elevations titled “Enterprise Mobility” prepared by TS3 Architects, PC and dated March 13, 2026; as identified in Exhibit “E”.
5. All vehicles on-site shall be in an operable condition and shall display current valid state inspection decals and license plates.
6. No vehicle repairs shall be permitted on the subject property.
7. All rental vehicles shall be stored in designated parking spaces.
8. The car wash shall be for employee use only. The general public shall be prohibited from using the car wash.
9. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbance or construction activities on the property.

Section 4. General Conditions.

- (a) The Conditional Use Permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days' written notice to the property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.
- (b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.
- (c) The commencement of the Use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or maintaining such Use, of the conditions to which the Conditional Use Permit herein granted is subject.

Section 5. Severability.

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

Section 6. Recordation.

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

Section 7. Effective Date.

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

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:



William E. Hutchings, Jr., City Attorney

**PUBLIC COMMENTS  
FOR  
CUP2025-013**



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-013, Enterprise Shoulder's Hill Road, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Diane
Last Name	Johnson
Street Address	3224 Gardenia Court
City	Suffolk
State	Virginia
Zip Code	23435
Comment	We do not want any industrial businesses such as Enterprise to support another industrial business such as Caliber Collision. Shoulders Hill Road is a terrible sight now and frankly would be a hindrance to future home sales. Work with us Suffolk, not against your tax payers!



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-013, Enterprise Shoulder's Hill Road, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Heidi
Last Name	Kenny
Street Address	3319 Forsythia Court
City	Suffolk
State	Virginia
Zip Code	23435
Comment	I have lived in Suffolk since 1992 and have appreciated the growth until the past 5 or so years. I live off of Bennetts Creek Park Road and have witnessed and been frustrated with the amount of houses and commercial properties that have been built on and off of Shoulders Hill but yet this two lane road remains the same. Even with the new Bridge Road and Shoulders Hill intersection expansion, the amount of vehicles traveling Shoulders Hill will only grow and cause more backups. Traffic backups on Shoulders Hill are daily and the other two lane feeding roads such as Pughsville and Nansemond Pkwy are worse and spill on to Shoulders Hill. Plans for these roads need to be implemented BEFORE any more houses or commercial properties are added to an already crowded area! Thank you



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-013, Enterprise Shoulder's Hill Road, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Holly
Last Name	Bass
Street Address	6075 Newington Pl
City	Suffolk
State	Virginia
Zip Code	23435
Comment	This would not be a suitable addition for this area. The caliber commission is already an eye sore. There are neighborhoods, schools, Grundy sites, and churches in this area. We do not need a rental car company here. This is a residential area, not commercial in the slightest. Please do not consider this.



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-013, Enterprise Shoulder's Hill Road, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	William
Last Name	Burks
Street Address	3211 Gardenia Court
City	Suffolk
State	Virginia
Zip Code	23435
Comment	What is the purpose of a rental car company in the middle of North Suffolk other than to allow body shop customers to walk next door and get a car while theirs is being worked on? We do not want to see Shoulders Hill or Bridge Rd become Airline Blvd in Portsmouth. This new commercial push is going to negatively affect our home values because people don't want to live in an industrial area. We bought in Bennett's Creek specifically for the reason it wasn't surrounded by commercial properties. The Shoulder's Hill/Bridge Rd intersection is not even finished and we're already looking to add more traffic to the area. I don't think the residents of Suffolk need this business at all. If it is going to be built, then why not prioritize Bridge Rd and Windward Lane area where the road is wide enough to handle the traffic?



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-013, Enterprise Shoulder's Hill Road, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Susan
Last Name	Burks
Street Address	3211 Gardenia Ct
Street Address Line 2	3211 Gardenia Ct
City	Suffolk
State	Virginia
Zip Code	23435
Comment	<p>As residents in this area, I implore you to not consider this as a viable location for a rental car agency. Not only do we not need the increased traffic in this already congested area, but this is bordering on a residential area. Hundreds of homes and multi-family housing areas are located here and do not want to look at a rental car agency in their backyard.</p> <p>This is not an aesthetically pleasing addition to our area. These types of businesses are unattractive, plain buildings with many cars and strangers driving into and out of the lot all day long. This is not what we want for our neighborhood!</p>



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-013, Enterprise Shoulder's Hill Road, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on April 14, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Taylor
Last Name	Kasab
Street Address	2087 Piedmont rd
City	Suffolk
State	Virginia
Zip Code	23435
Comment	NO MORE COMMERCIAL, please!!!

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT  
CUP2025-013

TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH VEHICLE RENTALS-  
PASSENGER VEHICLES ONLY, ON PROPERTY LOCATED AT 6556 SHOULDERS  
HILL ROAD, ZONING MAP 12, PARCEL 50\*1D, ACCOUNT NUMBER 301204000

WHEREAS, Melissa Lounsbery, applicant, on behalf of Barry Saunders, property owner, has requested a Conditional Use Permit to establish vehicle rentals-passenger vehicles only, on property located at 5665 Shoulders Hill Road, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 12, Parcel 20\*1D, which land is depicted on Exhibit "B", "Property Map".

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

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

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a Conditional Use Permit, as submitted or modified herein:

- a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c) Will be no more injurious to property or improvements in the neighborhood, or
- d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2025-013, be:

\_\_\_\_\_

- a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b) Denied, and that Council not adopt the proposed Ordinance.
- X   c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

# **CONDITIONAL USE PERMIT**

**CUP2025-013**

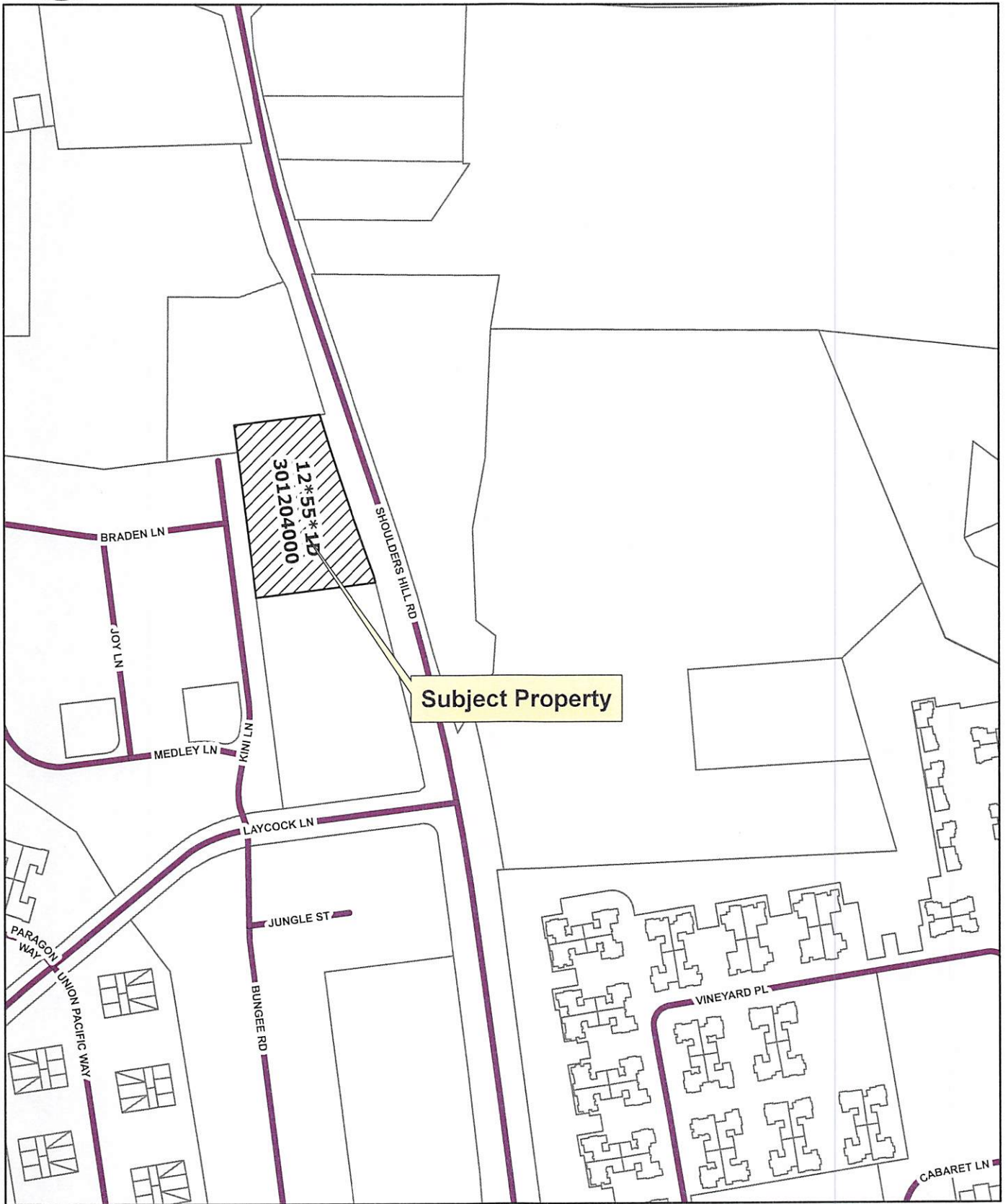
## **CONDITIONS**

1. This Conditional Use Permit is granted specifically to establish vehicle rentals – passenger vehicles only, on property located at 5665 Shoulders Hill Road, Zoning Map 12, Parcel 55\*1D; as identified in Exhibit “B”, “Property Map”.
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances, and regulations of federal, state, and local government.
3. The use shall be in substantial conformance with the concept plan titled “Site Layout Plan” prepared by ATCS and dated February 27, 2026; as identified in Exhibit “C”.
4. Buildings shall be constructed in substantial conform with the building elevations titled “Enterprise Mobility” prepared by TS3 Architects, PC and dated March 13, 2026; as identified in Exhibit “E”.
5. All vehicles on-site shall be in an operable condition and shall display current valid state inspection decals and license plates.
6. No vehicle repairs shall be permitted on the subject property.
7. All rental vehicles shall be stored in designated parking spaces.
8. The car wash shall be for employee use only. The general public shall be prohibited from using the car wash.
9. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbance or construction activities on the property.



# PROPERTY MAP CUP2025-00013

EXHIBIT B



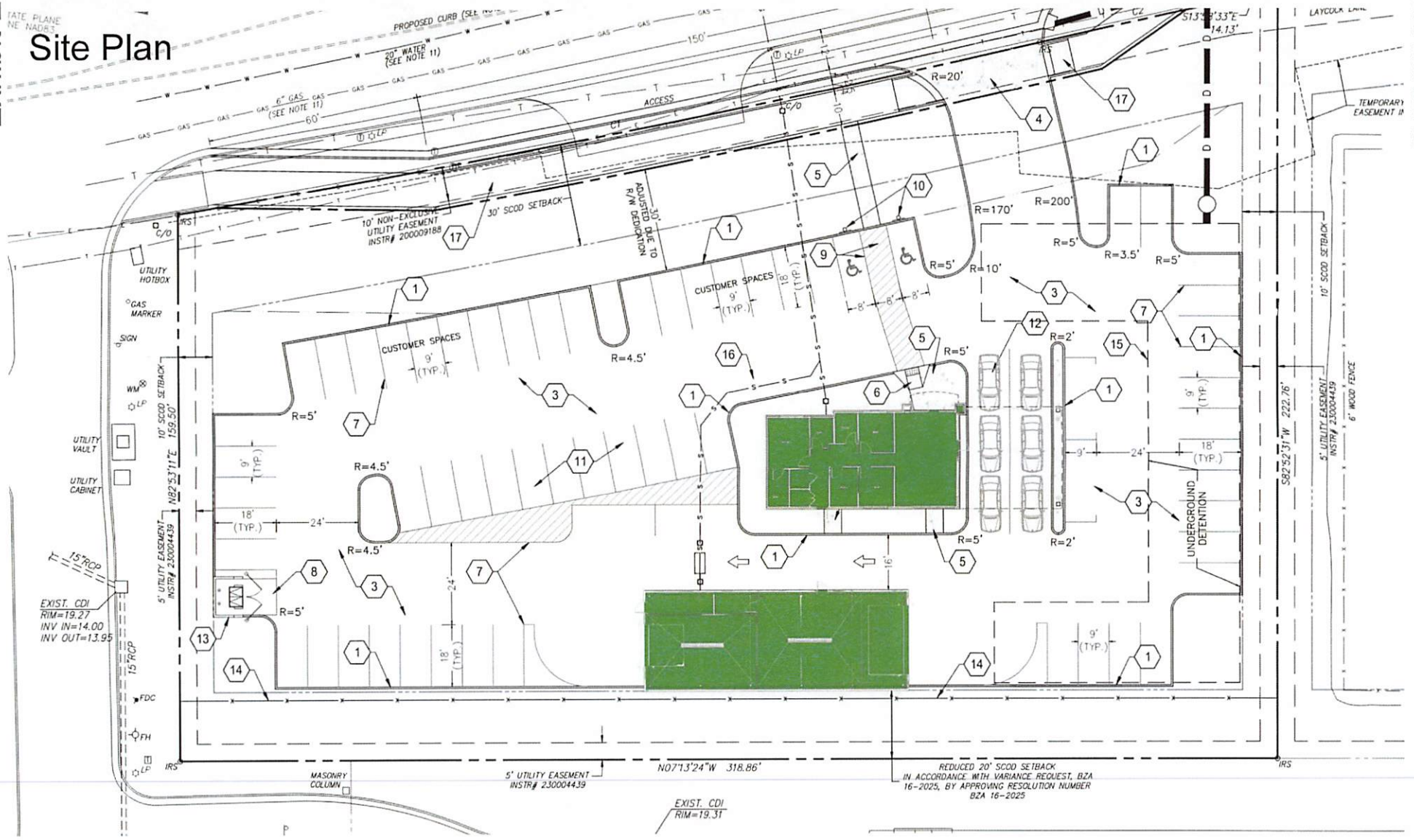
Author: KOSSAI  
Date: 09-09-2025







# Site Plan



# Front View | Main Building

Exhibit E



CUP2025-013

Landscaping shown in renderings is for illustrative purposes only. Refer to the Landscape Plan for final design intent and scope.

ENTERPRISE MOBILITY | SUFFOLK, VIRGINIA | v4.0

MARCH 13, 2026 | TS3 ARCHITECTS PC

# Front View | Main Building

Exhibit E



CUP2025-013

Landscaping shown in renderings is for illustrative purposes only. Refer to the Landscape Plan for final design intent and scope.

ENTERPRISE MOBILITY | SUFFOLK, VIRGINIA | v4.0

MARCH 13, 2026 | TS3 ARCHITECTS PC

# Rear View | Main Building

Exhibit E



CUP2025-013

Landscaping shown in renderings is for illustrative purposes only. Refer to the Landscape Plan for final design intent and scope.

# Rear View | Main Building

Exhibit E



CUP2025-013

Landscaping shown in renderings is for illustrative purposes only. Refer to the Landscape Plan for final design intent and scope.

## Rear View | Vacuum & Car Wash Building

Exhibit E



CUP2025-013

Landscaping shown in renderings is for illustrative purposes only. Refer to the Landscape Plan for final design intent and scope.

ENTERPRISE MOBILITY | SUFFOLK, VIRGINIA | v4.0

MARCH 13, 2026 | TS3 ARCHITECTS PC

# Front View | Vacuum & Car Wash Building

Exhibit E

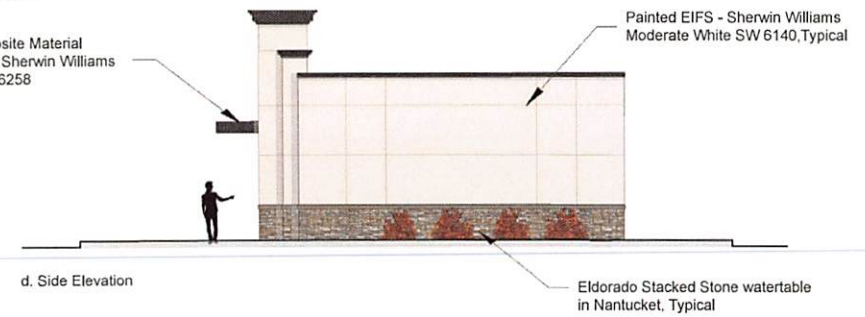
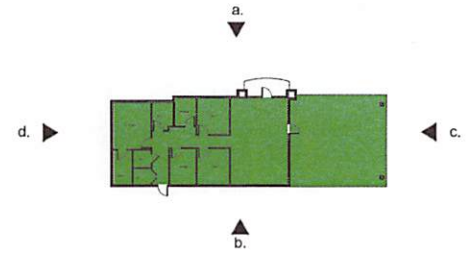


CUP2025-013

Landscaping shown in renderings is for illustrative purposes only. Refer to the Landscape Plan for final design intent and scope.

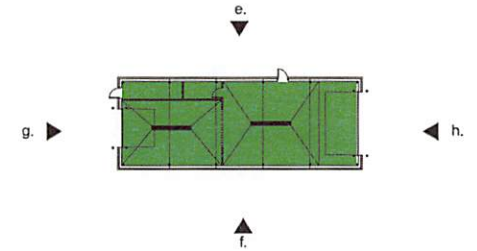
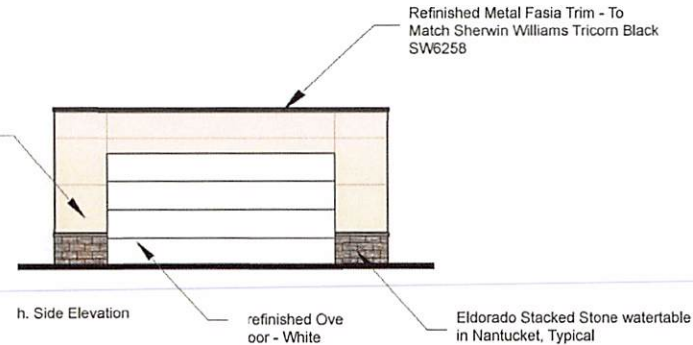
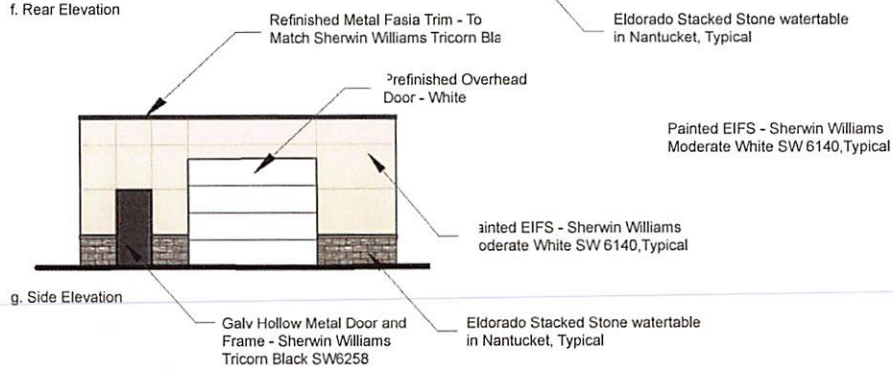
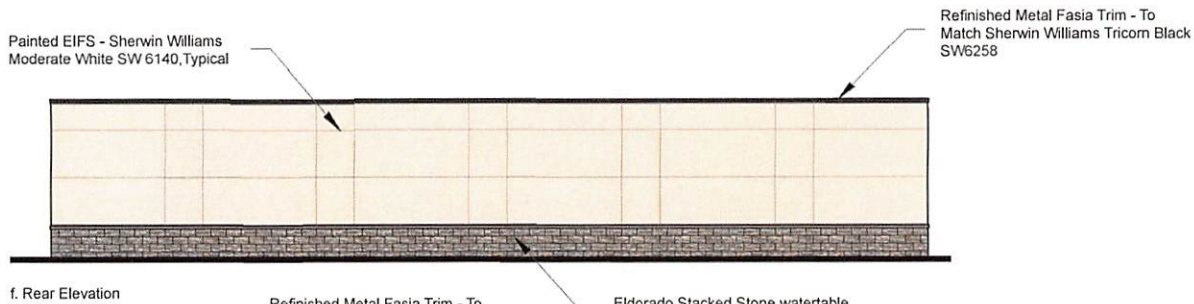
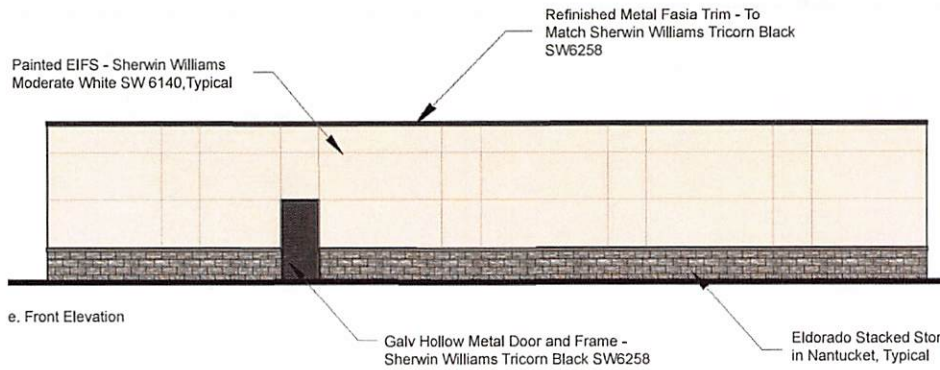
# Exterior Elevations | Main Building

Exhibit E



CUP2025-013

# Exterior Elevations | Vacuum & Car Wash Building



**AGENDA: May 20, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a probation and parole office, on property located on Dill Road, Zoning Map 34, Parcel 88\*7, Account Number 103451100, CUP2026-003

Attached for your consideration is information pertaining to Conditional Use Permit Request CUP2026-003, submitted by James K. Jolley, applicant, on behalf of Brickcraft Masonry, Inc., property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a probation and parole office on property located on Dill Road, Zoning Map 34, Parcel 88\*7. The affected area is further identified as being located in the Whaleyville Voting Borough, zoned M-2, Heavy Industrial Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Employment Center Land Use Type.

The Planning Commission, at their meeting of April 21, 2026, voted 6 to 0 to approve a resolution recommending **approval** of this request with conditions. Therefore, this item is presented to City Council with a recommendation of approval.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning/Land Use Map
- Application Narrative
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – “Conceptual Layout”
- Exhibit D – “Exterior Elevations”

# STAFF REPORT

## DESCRIPTION

**CONDITIONAL USE PERMIT REQUEST:** Conditional Use Permit request, CUP2026-003, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish a probation and parole office.

**APPLICANT:** Submitted by James K. Jolley, applicant, on behalf of Brickcraft Masonry Inc, property owner.

**LOCATION:** The subject properties are located on Dill Road at Zoning Map 34, Parcel 88\*7.

**PRESENT ZONING:** The subject property (T.M. 34\*88\*7) is zoned M-2, Heavy Industrial zoning district.

**EXISTING LAND USE:** The subject property totals 2.44 acres and consists primarily of vacant land.

**PROPOSED LAND USE:** The applicant proposes to establish a probation and parole office.

### **SURROUNDING LAND USES:**

- North: Undeveloped land containing VEPCO electrical transmission lines zoned M-2, Heavy Industrial zoning district, with single-family attached and detached homes beyond zoned RC, Residential Compact, and RM, Residential Medium Density zoning district.
- South: Dill Road, with undeveloped land beyond zoned M-2, Heavy Industrial zoning district.
- East: The intersection of Dill Road and County Street, with undeveloped wooded land and an electric substation beyond zoned M-2, Heavy Industrial zoning district, and single-family homes zoned RM, Residential Medium Density zoning district.
- West: Undeveloped wooded land, apartments, and industrial storage yards zoned M-2, Heavy Industrial zoning district.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Employment Center Land Use Type.

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

**FLOOD PLAIN:** The property falls within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel 5101560230E of the City of Suffolk, Virginia 2015 Flood Map.

**CASE HISTORY:** A Notice of Violation concerning storage of tractor trailers was sent to the property owner on August 5, 2024 as detailed in GZC2024-00280.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant containing a

copy of the staff report was also sent April 17, 2026 and May 15, 2026.

## **STAFF ANALYSIS**

### **ISSUE**

The applicant is requesting to establish a probation and parole office on a roughly 2.44-acre property located on Dill Road. The probation and parole office is proposed to be staffed by approximately 40 Commonwealth of Virginia employees with office hours of 8:15am to 5:00pm. The applicant has stated that the proposed building will be 11,210 square feet in size and the site will be developed with paved parking areas, stormwater management facilities, internal sidewalks and landscaping. The frontage of the property along Dill Road will be improved with streetscaping, a sidewalk, curb and gutter, and a closed drainage system. In support of this request, the applicant has submitted a conceptual layout, wetlands delineation, and building elevations (attached).

### **CONSIDERATIONS AND CONCLUSIONS**

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a Conditional Use Permit be obtained for probation and parole offices within the M-2, Heavy Industrial Zoning District.
2. While the subject property is zoned M-2, Heavy Industrial and an office is generally not seen as heavy industry, the 2045 Comprehensive Plan designates this area as part of the Employment Center Land Use Type, which encourages a variety of commercial and industrial uses such as a probation and parole office. Although all directly abutting properties are zoned M-2 and are largely undeveloped, uses in the immediate vicinity of the property vary between commercial and residential. Given probation/parole offices function at essentially the same intensity as regular government offices, the proposed use is appropriate to be located in proximity to existing residential development; note, the proposed probation and parole office is not expected to be as impactful to neighboring properties as other industrial uses that would be permitted by-right on the property.
3. An Environmental Site Assessment was provided in support of this request. One Recognized Environmental Condition in the form of 27 fifty-five-gallon drums labeled to contain a polymer chemical were discovered on site. The barrels were largely undamaged with no immediate signs of leaking, and if approved, appropriate land disturbance measures must be taken to prevent any leakage or mitigate contaminated soil. The Department of Public Works' Engineering Division reviewed this request and expressed no concerns.
4. A Traffic Impact Analysis (TIA) was submitted with this request, which is discussed in further detail below. The Department of Public Works' Traffic Engineering Division reviewed the TIA, concurred with its findings, and have not expressed any concerns.
5. The subject property is served by both public water and sewer. The applicant has provided a Public Facilities Report detailing proposed water and sanitary sewer needs for the development, and the Department of Public Utilities has found there is adequate public water service and sanitary sewer capacity for the proposed connections serving the site.

6. The subject property is located within the Chesapeake Bay Preservation Overlay District (CBPA) and is designated as an Intensely Developed Area (IDA). An IDA is an urban high-density predeveloped area where the water quality benefits of the historic Resource Protection Area buffer has been reduced. However, the applicant produced a Water Quality Impact Assessment for this request, detailing how proposed stormwater facilities will provide runoff treatment. The Department of Public Works has reviewed the report and has expressed no concerns.
7. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit (CUP) provides a means of authorizing certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a Conditional Use Permit by City Council when the right set of circumstances and conditions are found acceptable.

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

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

A probation and parole office is listed as a conditional use in the M-2, Heavy Industrial zoning district. Staff has reviewed all materials submitted by the applicant and found them acceptable to move forward with the Conditional Use Permit Application. The proposed concept plan generally conforms with the requirements of the UDO, and, if approved, the applicant will have to submit a full site plan that meets all requirements of the UDO prior to construction.

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

The subject property is surrounded by properties zoned M-2, Heavy Industrial zoning district and is expected to be no more injurious to neighboring properties than other commercial or industrial uses permitted by-right in the district. The building elevations and conceptual layout submitted by the applicant show significant streetscape and landscaping improvements that are expected to enhance the area.

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

The applicant has proposed a single full- access driveway entrance to the site on Dill Road. The applicant has provided a TIA, which details the vehicle trips generated by the proposed use; the report derives its trip calculations utilizing the ITE (Institute of Traffic Engineers) Trip Generation manual (12<sup>th</sup> edition) figures for the “General Office Building” use code, which the proposed parole office would fall under. A 11,500 square foot building would generate 140 average daily vehicle trips, with 33 trips in the AM peak hour and 43 trips in the PM peak hour. Dill Road carries about 4,200 trips per day and is classified as a Major Collector. Given this, the TIA notes that upon full build out, the proposed development would generate limited traffic impacts on adjacent roadways, with all nearby intersections projected to operate at acceptable levels of services, no off-site improvement or turn lanes were warranted. Given the industrial character of the area and prevalence of semi-trucks, the proposed use will be less intense from a traffic standpoint than other existing and potential industrial uses in the area.

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

The proposed use is not expected to generate any vibration, noise, odor, dust, smoke, or gas, as it is an office use with no outdoor operations and operating hours between 8:15am and 5:00pm.

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

The proposed use is not expected to be any more injurious to the use or enjoyment of surrounding properties than uses permitted as a matter of right in the M-2, Heavy Industrial zoning district. The proposed use is markedly less intense than other permitted industrial uses and will not serve to negatively affect the character of the neighborhood.

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

This area is currently developed with a mix of residential and commercial uses. The proposed use is not expected to impede the orderly development of surrounding properties as it is not expected to have major impacts on surrounding properties and is less intensive than other uses allowed in the M-2 zoning district by-right. In fact, given the development will include streetscape improvements, it is likely that the use will contribute to the improvement and future redevelopment of the Dill Road industrial area.

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

*welfare.*

The proposed use is not expected to endanger the public health, safety, morals, comfort, or general welfare. The applicant has stated that the probation/parole office will have security and safety measures, including a video surveillance system with coverage of the exterior of the building, its parking areas and the building interior, in addition to an access control system for the exterior and interior doors, a paging system, a burglar alarm system, a fire alarm system, and a fire suppression system.

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

The public interest and welfare are unlikely to be negatively impacted by the proposed probation and parole office use in this location. The individual interests of adjacent property owners should not be adversely affected by the probation and parole office as it shall be subject to conditions of approval that require adherence to the conceptual layout and the proposed building elevations.

### **RECOMMENDATION**

It is staff's opinion that the site in question is appropriate for the proposed use given that the proposed use is less intensive than uses generally permitted there by-right. Therefore, staff recommends approval of Conditional Use Permit Request CUP2026-003, subject to the following conditions:

1. This Conditional Use Permit is granted specifically to establish a probation and parole office on property located on Dill Road at Zoning Map 34, Parcel 88\*7; as identified in Exhibit "B".
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances and regulations of federal, state and local government.
3. The use shall be in substantial conformance with the concept plan titled "Conceptual Layout" prepared by Land Planning Solutions and dated March 16, 2026; as identified in Exhibit "C".
4. The design of the proposed building and the façade materials shall conform with the building elevations titled "Exterior Elevations" prepared by Sampson and Associates Architects, P.C., dated March 5, 2026; as identified in Exhibit "D".
5. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbing or construction activities on the property.

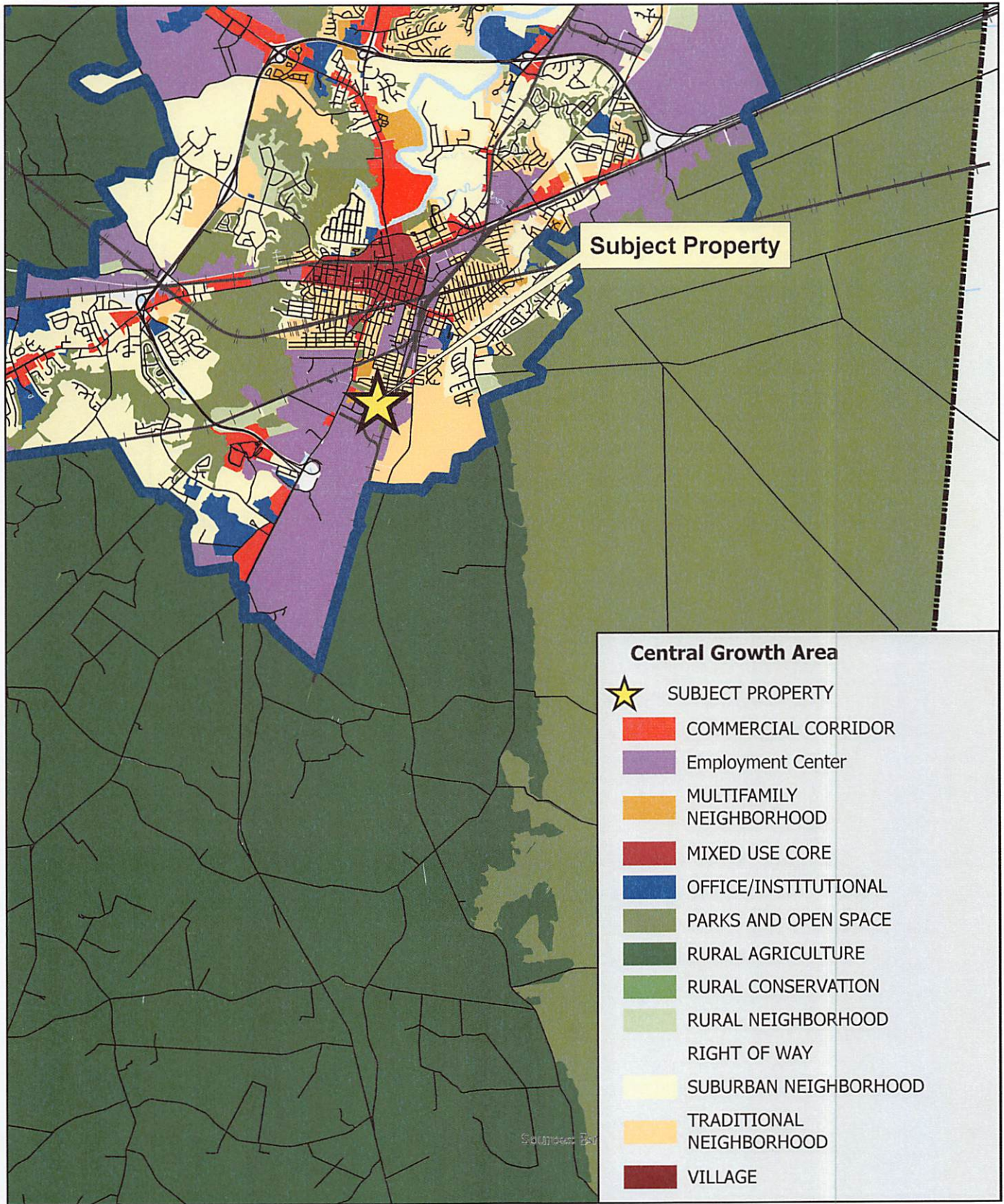
At its April 21, 2026 meeting, the Planning Commission voted 6 to 0 to approve a resolution recommending approval of this request with conditions. Therefore, this request is presented to City Council with a recommendation of approval from the Planning Commission.

**Attachments**

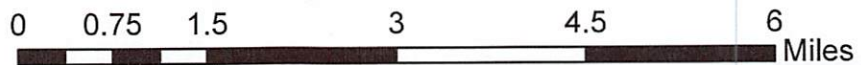
- General Location Map
- Zoning / Land Use Map
- Application Narrative
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – “Conceptual Layout”
- Exhibit D – “Exterior Elevations”



# GENERAL LOCATION MAP CUP2026-00003



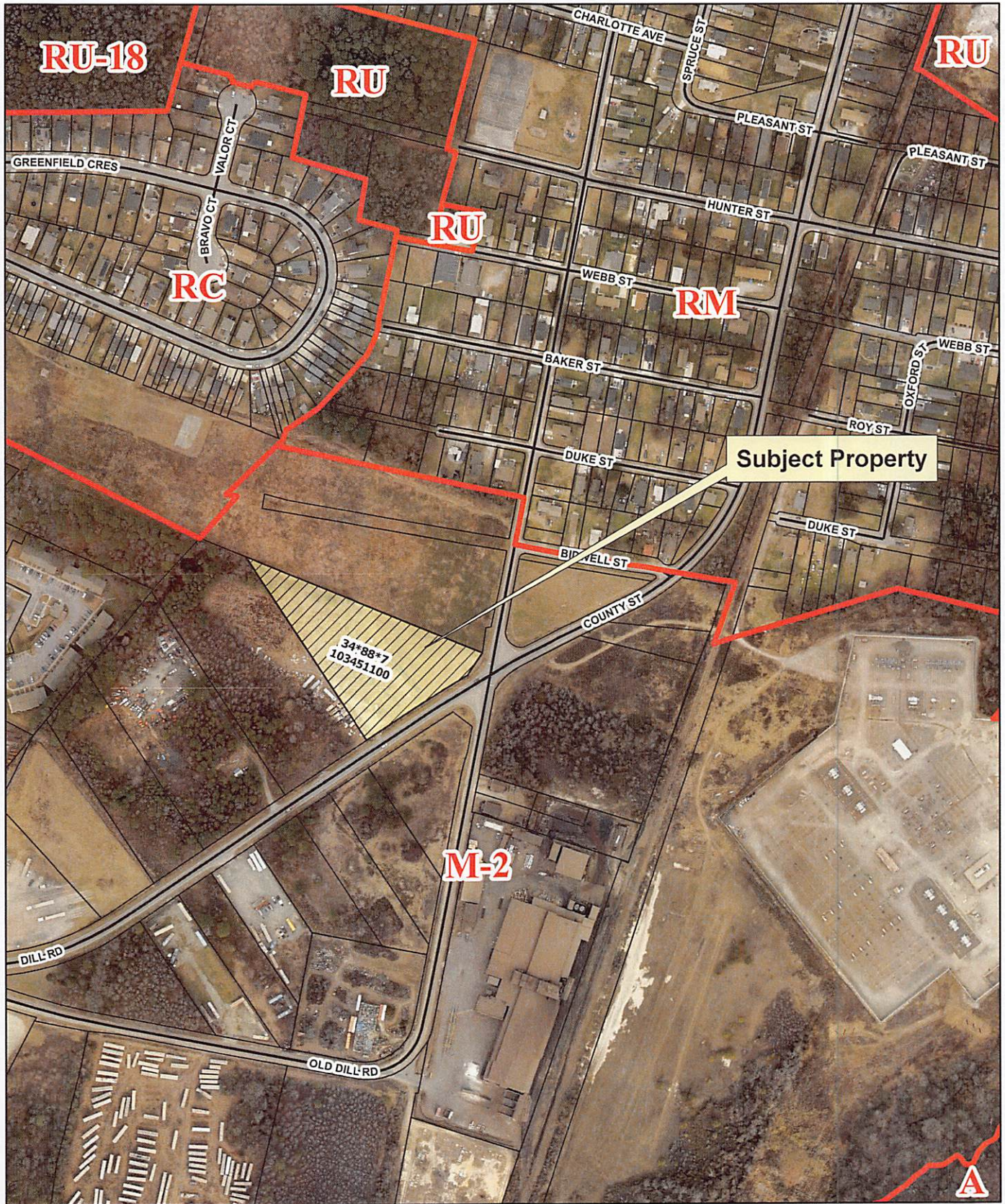
Author: KOSSAI  
Date: 01-30-2026





# ZONING / LAND USE MAP

## CUP2026-00003



Author: KOSSAI  
Date: 01-30-2026

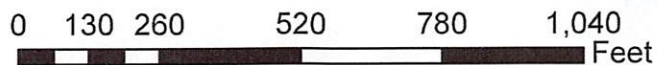
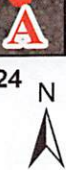


Image: Suffolk Pictometry 2024





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Suffolk, Virginia 23435  
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[www.landplanningsolutions.com](http://www.landplanningsolutions.com)

### **Dill Rd. Probation & Parole Office – Conditional Use Permit Application Narrative (ACS007)**

Suffolk DOC, LLC proposes to construct a new office building for use as a Virginia Department of Corrections (DOC) Probation and Parole Office (P&P Office) on property located at the northwest corner of Dill Road and Old Dill Road about 1 mile south of downtown. The subject parcel, Tax Map 34\*88\*7, Account #103451100, is +/- 2.4 acres in size and currently zoned M-2, Heavy Industrial. A P&P Office is allowed in the M-2 district only through the approval of a Conditional Use Permit.

This site is suitable for a general office building to be used as a P&P Office, as it is adjacent to other M-2 vacant parcels to the north, south, east and west. A P&P Office is compatible with other businesses located at the southern end of Dill Road, including a transportation company and cold storage facility. The 2045 Comprehensive Plan designates this area as an employment center.

The proposed building is +/- 11,210 SF in size and the site will be developed with paved parking areas, stormwater management, sidewalks and landscaping. The frontage of the property will be improved with attractive streetscaping, sidewalks, curb and gutter and closed drainage.

The P&P Office will be staffed with approximately 40 employees of the Commonwealth of Virginia. Office hours are 8:15 AM to 5:00 PM. Security and safety measures include a video surveillance system with coverage of the exterior of the building, the parking areas and the building interior, an access control system for the exterior and interior doors, a paging system, a burglar alarm system, a fire alarm system, and a fire suppression system.

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A PROBATION AND PAROLE OFFICE, ON PROPERTY LOCATED ON DILL ROAD, ZONING MAP 34, PARCEL 88\*7, ACCOUNT NUMBER 103451100, CUP2026-003**

WHEREAS, James K. Jolley, applicant, on behalf of Brickcraft Masonry, Inc., property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, has requested a conditional use permit to establish a probation and parole office on a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 34, Parcel 88\*7, and is further depicted on Exhibit "B"; and,

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

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

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

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

Section 1.     Exhibits.

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

Section 2.     Findings.

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

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or

change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

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

Section 3. Permit Granted.

The conditional use permit for the property be, and it is hereby, approved for the property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The conditional use permit specifically permits a probation and parole office , in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit is granted specifically to establish a probation and parole office on property located on Dill Road at Zoning Map 34, Parcel 88\*7; as identified in Exhibit "B".
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances and regulations of federal, state and local government.
3. The use shall be in substantial conformance with the concept plan titled "Conceptual Layout" prepared by Land Planning Solutions and dated March 16, 2026; as identified in Exhibit "C".
4. The design of the proposed building and the façade materials shall conform with the building elevations titled "Exterior Elevations" prepared by Sampson and Associates Architects, P.C., dated March 5, 2026; as identified in Exhibit "D".
5. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbing or construction activities on the property.

Section 4. General Conditions.

- (a) The conditional use permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days' written notice to, James K. Jolley, on behalf, Brickcraft Masonry, Inc. or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.

- (b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.
- (c) The commencement of the use described in Section 3 of this ordinance shall be deemed acceptance by, James K. Jolley, on behalf, Brickcraft Masonry, Inc., or any party undertaking or maintaining such use, of the conditions to which the conditional use permit herein granted is subject.

Section 5. Severability.

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

Section 6. Recordation.

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


Section 7. Effective Date.

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

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**EXHIBIT "A"**

**RESOLUTION NO. 26-04-4**

**CITY OF SUFFOLK PLANNING COMMISSION**

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT  
CUP2026-003**

**TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A PROBATION AND  
PAROLE OFFICE USE ON PROPERTY LOCATED ON DILL ROAD, ZONING MAP  
34, PARCEL 88\*7, ACCOUNT NUMBER 103451100**

**WHEREAS**, James K. Jolley applicant, on behalf of, Brickcraft Masonry, Inc. property owner, has requested a Conditional Use Permit to establish a probation and parole office use located on Dill Road, which land is designated on the Zoning Map of the City of Suffolk, Virginia as Zoning Map 34, Parcel 88\*7 and is more particularly depicted in Exhibit "B"; and,

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

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

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a Conditional Use Permit, as submitted or modified herein:


- a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c) Will be no more injurious to property or improvements in the neighborhood, or
- d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2026-003 be:

- a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b) Denied, and that Council not adopt the proposed Ordinance.
- c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: April 21, 2026

TESTE: 

# **CONDITIONAL USE PERMIT**

**CUP2026-003**

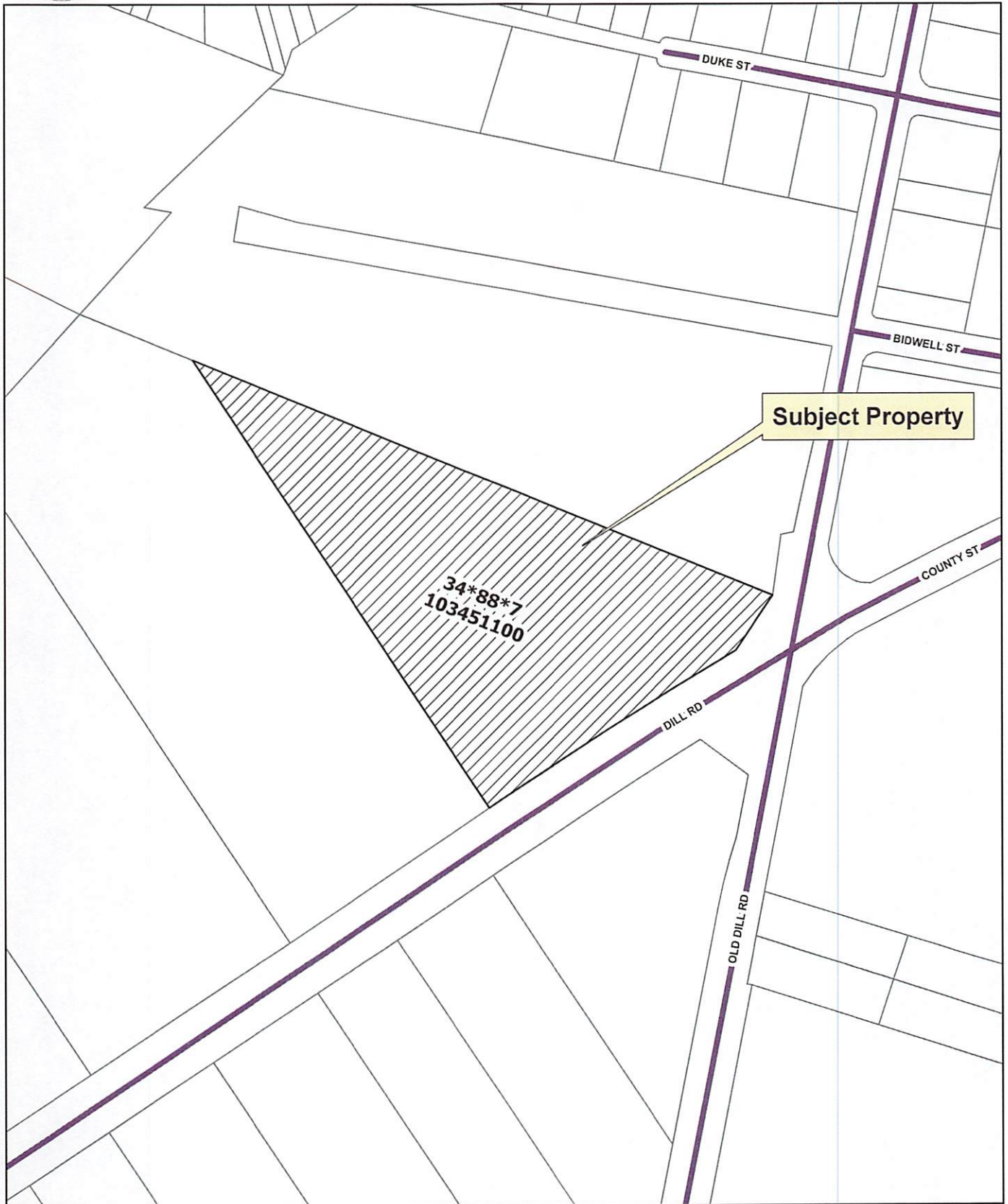
## **CONDITIONS**

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3. The use shall be in substantial conformance with the concept plan titled "Conceptual Layout" prepared by Land Planning Solutions and dated March 16, 2026; as identified in Exhibit "C".
4. The design of the proposed building and the façade materials shall conform with the building elevations titled "Exterior Elevations" prepared by Sampson and Associates Architects, P.C., dated March 5, 2026; as identified in Exhibit "D".
5. The applicant shall obtain all necessary building permits from the Division of Community Development and shall obtain approval of a Site Plan from the Division of Planning for the design of improvements associated with this request prior to the commencement of any land disturbing or construction activities on the property.

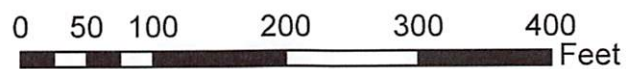


# PROPERTY MAP CUP2026-00003

EXHIBIT B



Author: KOSSAI  
Date: 01-30-2026



# Dill Rd. Probation Office Conceptual Layout

Suffolk, Virginia  
January 12, 2026, revised March 16, 2026

### SITE DATA:

Tax Map Number: 34\*88\*7  
Account Number: 103451100  
Current Zoning: M-2  
Overlay/District: None  
Total Site Area: +/-2.44 a.c.

Proposed Zoning: Retain M-2 & obtain Conditional Use Permit

### M-2 Development Criteria:

Max. Impervious Cover: 90% or 2.2 a.c.; +/-1.2 proposed  
Front Setback: 30'  
Side Setback: 25' when not adjacent to residential  
Side Setback: 25' when not adjacent to residential  
Max. Building Height: 65'

### Parking:

Classification "office": 1 space/250 SF min. or 45 spaces  
& 1 space/125 SF max. or 90 spaces  
Proposed Parking: 63 spaces

### Landscape Standards:

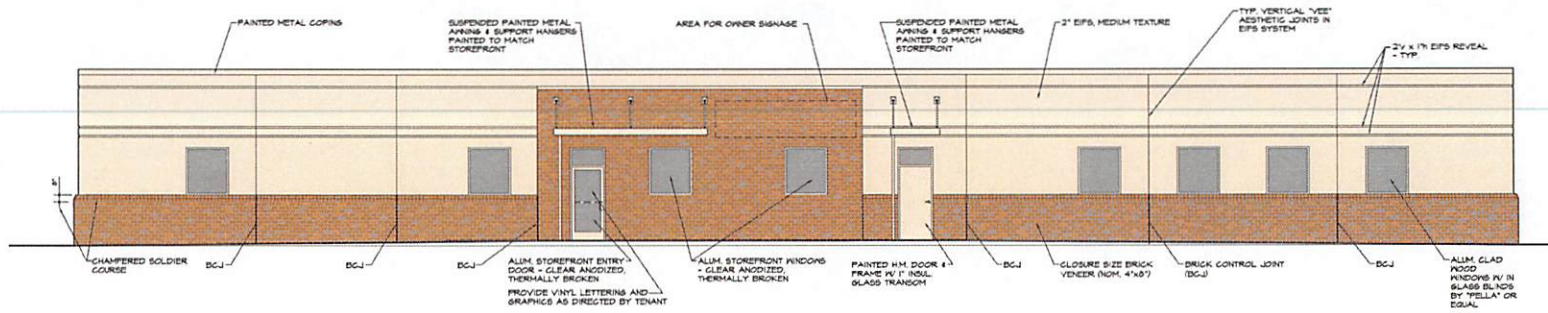
10% site tree canopy  
10' wide streetscape area along Dill Rd. (1 tree/50 LF and single row of shrubs)  
1 tree per 10 parking spaces



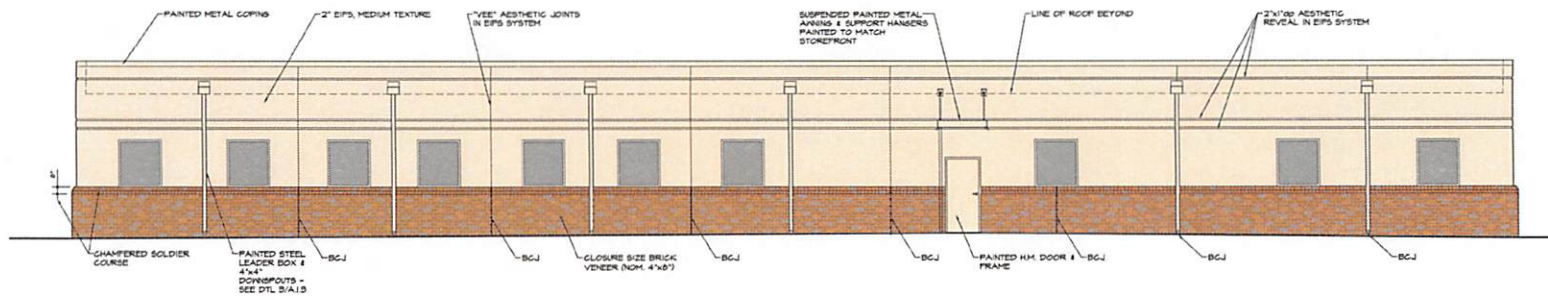
G:\Projects\ACS\MCS007 - Dill Probation Office\Prelim\MCS007 - Prelim 04.dwg, Plotted: By: Amy, Plotted: Mar 16, 2026 - 9:09am

\*This conceptual layout was prepared using city GIS data for property boundaries. Updated survey may affect layout.

**LPS** LAND PLANNING SOLUTIONS  
 5857 HARBOUR VIEW BLVD, STE. 202  
 SUYDOR VA, 23445-2657  
 O 757.325.9114 F 757.325.9015  
 www.landplanningsolutions.com



**PROPOSED FRONT ELEVATION (DILL ROAD)**  
3/16\"/>



**PROPOSED REAR ELEVATION (TOWARDS REAR PARKING LOT)**  
3/16\"/>

PROGRESS  
PRINT  
NOT FOR  
CONSTRUCTION

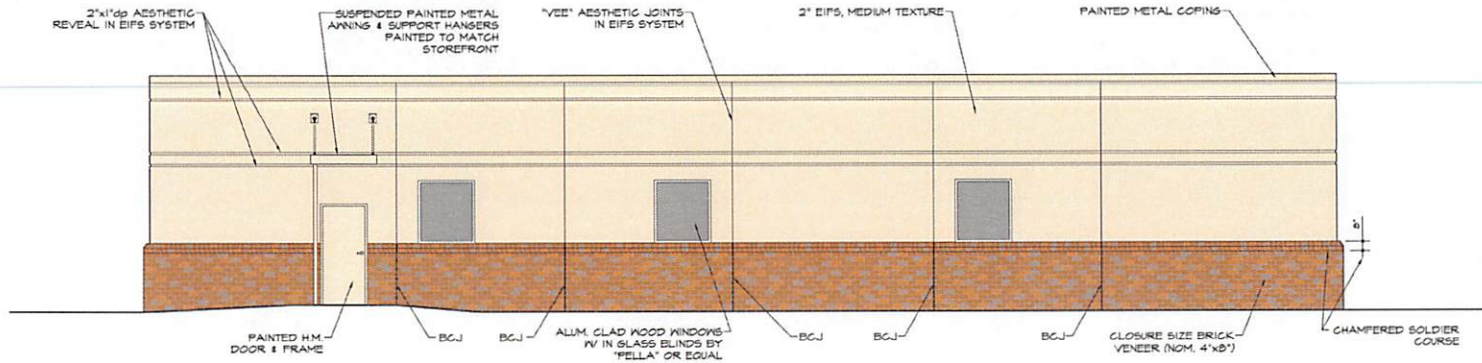
EXTERIOR  
ELEVATIONS

EXTERIOR FINISH SCHEDULE									
MARK	FINISH	MANUF'R	DESCRIPTION	COLOR	MARK	FINISH	MANUF'R	DESCRIPTION	COLOR
EP-1	EXTERIOR PAINT	BENJAMIN MOORE	EXTERIOR LATEX	MATCH EIFS-1	BV-2	SMOOTH	TAYLOR BRICK	UTILITY SIZE BRICK VENEER	BOI BUFF
EP-2	EXTERIOR PAINT	BENJAMIN MOORE	EXTERIOR LATEX	MATCH CLEAR ANODIZED ALUM.	SF-1	ANODIZED ALUMINUM	KAYNEER	EXTERIOR ALUMINUM STOREFRONT, TRIFAB 451T, THERMAL CENTER PLANE GLAZED	CLEAR ANODIZED
EIFS-1	EIFS	STOCOLOR	CEMENTITIOUS THRU-COLOR FINISH COAT	10300 PEARL	AC-1	ALUM. GLAD	PELLA	PELLA DESIGNER SERIES ALUM. GLAD WOOD WINDOW	MORNING SKY GRAY
BV-1	WIRECUT	TAYLOR BRICK	CLOSURE SIZE BRICK VENEER	315 PINK					

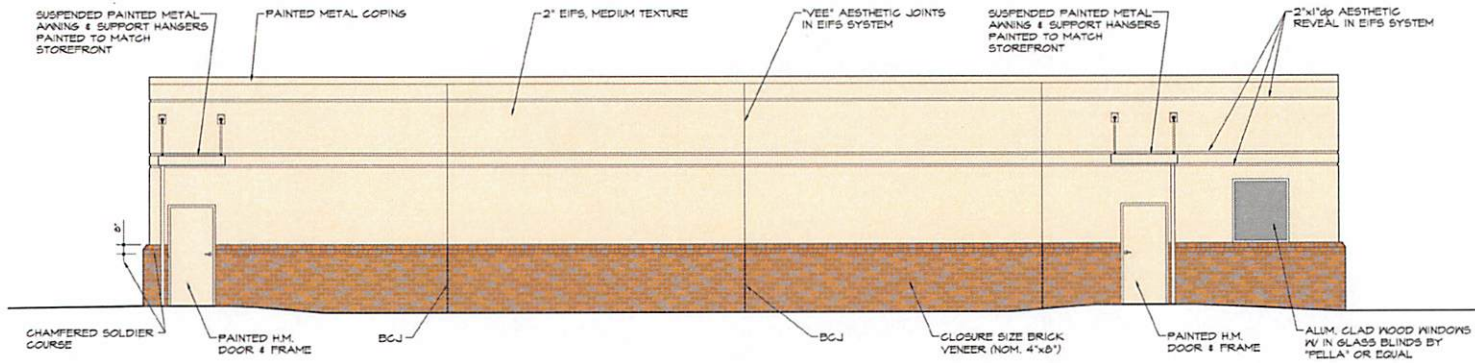
VIRGINIA  
DEPARTMENT  
OF  
CORRECTIONS  
PROBATION  
& PAROLE  
OFFICE  
BUILDING  
REDFORD  
VIRGINIA

COMM. NO. 2503  
DESIGNED BY: DLS  
DRAWN BY: DLS

A.2.1



**LEFT SIDE ELEVATION (WEST SIDE)**  
1/4"=1'-0"



**RIGHT SIDE ELEVATION (EAST SIDE)**  
1/4"=1'-0"

PROGRESS  
PRINT  
NOT FOR  
CONSTRUCTION

EXTERIOR  
ELEVATIONS

VIRGINIA  
DEPARTMENT  
OF  
CORRECTIONS  
PROBATION  
& PAROLE  
OFFICE  
BUILDING

BLP/MLK  
VIRGINIA

COMM. NO. 2503

DESIGNED BY: DLS

DRAWN BY: DLS

A.2.2

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, Zoning Map 25, Parcel 38H, Account Number 252926500; CUP2026-005

Attached for your consideration is information pertaining to Conditional Use Permit request CUP2026-005, submitted by Hassan Rabbani, Edifice Holdings, LLC, applicant and property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, Zoning Map 25, Parcel 38H. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned B-2, General Commercial Zoning District and SCOD, Special Corridor Overlay District. The 2045 Comprehensive Plan designates this area within the Central Growth Area, Commercial Corridor Land Use Type.

The Planning Commission, at their April 21, 2026 meeting, through Resolution No. 26-05-04, voted 5 to 1 (Commissioner Edwards dissenting, Commissioners Hicks and Goodman absent) to recommend approval of this request with conditions. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning / Land Use Map
- Applicant's Narrative
- Application Disclosure Form
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – “U-Haul Rental Parking Layout-CUP Exhibit”

# STAFF REPORT

## DESCRIPTION

**CONDITIONAL USE PERMIT REQUEST:** Conditional Use Permit request, CUP2026-005, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish a rental service other than passenger vehicles (outdoor display/storage) use – specifically, the rental of U-Haul trucks.

**APPLICANT:** Hassan Rabbani, Edifice Holdings LLC, applicant and property owner.

**LOCATION:** The subject property is located at 2864 Pruden Boulevard, Zoning Map 25, Parcel 38H.

**PRESENT ZONING:** The subject property (T.M. 25\*38H) is zoned B-2, General Commercial and SCOD, Special Corridor Overlay District.

**EXISTING LAND USE:** T.M. 25\*38H is a 4.8-acre parcel with approximately 203.8' of frontage directly along Pruden Boulevard. The property is developed with a motel containing lodging rooms and a cigar lounge/restaurant, an outdoor pool, a parking lot and a single commercial driveway entrance.

**PROPOSED LAND USE:** The applicant proposes to display a maximum of ten (10) U-Haul trucks on the parking lot in front of the motel for the purpose of offering said U-Haul trucks for rent. Customers would pick up and drop off rented trucks on-site.

### **SURROUNDING LAND USES:**

- North: Undeveloped land platted as part of the Virginia Regional Commerce Park zoned M-1, Light Industrial zoning district.
- South: Pruden Boulevard, with electric transmission lines and commercial property containing a vacant retail building beyond, zoned B-2, General Commercial zoning district.
- East: Undeveloped land zoned B-2, General Commercial zoning district, and the Route 58 bypass/Pruden Boulevard interchange.
- West: Huddle House restaurant, BP gasoline and diesel fueling stations, and semi-truck parking, zoned B-2, General Commercial zoning district.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as within the Central Growth Area, Commercial Corridor Land Use Type.

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

**FLOOD PLAIN:** The subject parcel is within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel No. 510160215D of the City of Suffolk, Virginia 2011 Flood Map.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the

applicable provisions of the Unified Development Ordinance. Notices to the applicant, containing a copy of the staff report, were also sent on April 17, 2026 and May 15, 2026.

**CASE HISTORY:** On January 5, 2026, the Zoning Office issued a Notice of Violation to the property owner for displaying and offering U-Haul trucks for rent on the property without an approved Conditional Use Permit. The applicant then submitted an application for a Conditional Use Permit on January 15, 2026. As of February 9, 2026, the U-Haul trucks have been removed from the property while the applicant pursues approval of a Conditional Use Permit.

## **STAFF ANALYSIS**

### **ISSUE**

The subject property is developed with an operating motel. The applicant proposes to display 10 U-Haul trucks, offered for rent, in the parking lot near the front of the property. Customers will conduct rental transactions at the front reception counter within the motel, and U-Haul trucks will be dropped off and picked up by customers on the property. The applicant has submitted a narrative and sketch plan in support of this request.

### **CONSIDERATIONS AND CONCLUSIONS**

1. Sections 31-306 and 31-406 of the Unified Development Ordinance (UDO) require a Conditional Use Permit (CUP) to be obtained for any rental service for vehicles (other than passenger vehicles) which are displayed and/or stored outdoors. The applicant's proposed U-Haul truck rental business on the subject property is categorized as such and thus requires a CUP to be approved by City Council prior to operation.
2. The applicant's narrative states they will utilize a portion of the existing parking lot to display U-Haul trucks that will be offered for rent. The applicant graphically depicts 10 parking spaces at the front and side of the motel parking lot on their concept plan (Exhibit C) where trucks will be parked. Each parking space is 17 to 18 feet in length, with two-way 24-foot wide drive aisles circulating the parking lot. A condition of approval is proposed to limit rental trucks to 20 feet in length to ensure the drive-aisle remains accessible for customers and emergency vehicles. Furthermore, the applicant notes in their attached narrative that rental customer transactions will occur at the front reception desk within the motel, and customers will only pick up and drop off U-Hauls on the property. No servicing or repair of trucks on-site is proposed by the applicant, and a condition of approval is proposed to enforce this.
3. An Environmental Site Assessment (ESA) was waived for this CUP request, as there is no proposed land disturbance associated with this request. The Department of Public Works has reviewed the application materials and expressed no concerns at the time of this report.
4. A Major Water Quality Impact Assessment was waived for this request. While the property is within the Chesapeake Bay Preservation Area overlay, since the applicant is proposing no land disturbance as part of this request, the Department of Public Works has expressed no concerns at the time of this report.

5. A traffic study was waived for this application, with the applicant instead providing a statement regarding potential vehicle trips resulting from the U-Haul rental business, which is detailed in the latter half of this report. The Department of Public Works' Traffic Engineering Division has reviewed this request and the trip generation calculations and has expressed no concerns, given the limited volume of customer traffic proposed.
6. The subject property is served by both public water and sanitary sewer. The applicant is not proposing any new plumbing fixtures as part of this request nor requires any new connection to services, and thus no increased public water or sewer demand resulting from the establishment of the proposed business is anticipated. The Department of Public Utilities has reviewed this request and expressed no concerns.
7. Pursuant to Section 31-306 of the UDO, a Conditional Use Permit (CUP) provides a means of authorizing certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a CUP by City Council when the right set of circumstances and conditions are found acceptable. Section 31-306(c) specifically establishes eight criteria that should be satisfied for approval. The proposed U-Haul rental business meets these requirements as follows:

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

The applicant's proposed U-Haul truck rental business is classified as "rental services (other than passenger vehicles), outdoor display/storage" within the UDO and is a listed conditional use in the B-2 zoning district. There are no specific supplemental use regulations for truck rental businesses outlined in the UDO, however, the conceptual plan and narrative were reviewed as to their compliance with other relevant regulations within the UDO. Given that the site is developed with an operating motel and proposed cigar lounge/restaurant, parking on site was examined to ensure adequate minimum spaces were available for both the existing and proposed uses combined. Section 31-606 of the UDO requires 0.8 parking spaces per hotel room, and 1 parking space per 800 square feet of floor area for any restaurant/meeting area located in conjunction with a hotel. 87 parking spaces are currently required based on the number of motel rooms (99) and floor area of the proposed cigar lounge/restaurant (5,200 square feet, per the applicant). Given the applicant's sketch plan depicts 182 total parking spaces, there appears to be adequate excess parking spaces to accommodate 10 U-Hauls to be parked for display in the parking lot. Staff also conducted a site visit to verify that the parking spaces are currently striped and visible. To ensure the continued provision of minimum parking spaces for the motel and proposed lounge/restaurant uses in the future, staff has proposed a condition of approval limiting the number of rental trucks that can be displayed at any time to 10 trucks. Additionally, vehicles displayed for rent cannot be parked on grass, gravel, or landscaped portions of the property. The applicant's proposal to park the trucks in paved parking spaces meets this requirement, and a condition is proposed to enforce this standard.

- b) *The proposed conditional use shall conform to the character of the neighborhood*

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

The 2045 Comprehensive Plan designates the subject property within the Central Growth Area, Commercial Corridor Land Use Type. This site is already developed with commercial and hospitality uses, and the addition of a small-scale U-Haul rental operation is generally consistent with the subject property's designation in the Comprehensive Plan and is compatible with the surrounding development intensity along this section of Pruden Boulevard.

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

The subject property is served by a commercial entrance onto Pruden Boulevard, located approximately 236 feet west of the westbound deceleration ramp junction from the Route 58 Bypass. The deceleration ramp transitions into a right-turn lane that also serves the subject property entrance, with a convergence point about 410 feet to the west where the turn lane ends. A significant quantity of vehicles accessing the subject site entrance could create conflicts at the merge area, hence any proposed use generating additional traffic warrants further analysis. To this end, the applicant provided a trip generation calculation to estimate additional traffic that would be generated by the proposed U-Haul rental business. Note that the ITE (Institute of Traffic Engineers) Trip Generation manual (11<sup>th</sup> edition) does not provide figures for trips generated for moving truck rental businesses, so the applicant opted to utilize the rate for "Construction Equipment Rental Store" (Land Use Code 811), since this would likely yield the most equivalent calculation (other uses in the ITE include vehicle sales and recreational vehicle sales, which might produce greater trip generation estimates than what would be comparable for the applicant's U-Haul rental use). As noted in the trip generation calculation within the attached narrative, the proposed use would generate about 2 vehicle trips in the PM peak hour based on the ITE calculations. Given the through-lanes on westbound Pruden Boulevard (past the interchange) carry approximately 24,000 vehicles per day, according to VDOT's 2022 estimates, and the limited scale of the truck rental use further ensured by the proposed conditions of approval, any impact on traffic patterns will be negligible.

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

The proposed U-Haul rental business is not expected to negatively impact adjacent properties. The business will be located on a developed parcel along an arterial road and no repair of trucks is proposed on site, and a condition of approval prohibiting the

repair of U-Haul trucks on-site has been proposed.

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

The proposed U-Haul rental operation is not expected to be injurious to the use and enjoyment of the properties in the immediate vicinity. The scope of the use is limited to the display of 10 trucks in parking spaces near the front of the site and rental customer transactions at the front desk of the motel. Since the Pruden Boulevard corridor in this location is commercial and industrial in nature, the view of the rental trucks from the right-of-way should not degrade the character of the area nor be unsightly, given the proximity of similar auto-related uses and businesses serving tractor-trailer and passenger automobile drivers. This proposed use conforms with expected character and intensity of a commercial zoning district.

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

The U-Haul rental use is proposed on a developed parcel, which is primarily used for a motel. The U-Haul rental operation has no associated land disturbance or site improvements, and will not impact the commercial or industrial development of the Pruden Boulevard corridor in this area of the city.

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

The proposed use is not expected to be detrimental to public health, safety, morals, comfort or general welfare, as it is a small-scale U-Haul rental operation on a pre-developed site.

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

Based on the prior analysis in this report, this use will have minimal traffic impacts, and its scope will not impact the required parking for the motel and cigar lounge/restaurant also located on the subject property.

## **RECOMMENDATION**

In the opinion of staff, the limited display of 10 U-Haul trucks for rental in available parking spaces on the subject property represents a minimal increase in intensity and is unlikely to produce adverse impacts on the surrounding area. The proposed use is consistent with the commercial character of this section of Pruden Boulevard and appropriate conditions of approval will address truck display and rental operations to ensure the use remains appropriately scaled for the site. Therefore, due to the considerations and conclusions noted in this report, staff recommends the

approval of Conditional Use Permit request CUP2026-005, subject to the following proposed conditions:

1. This Conditional Use Permit shall authorize a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, Zoning Map 25, Parcel 38H; as identified and depicted in Exhibit “B”.
2. The truck rental operation shall be established and operated in substantial conformance, except as modified herein, with the concept plan titled “U-Haul Rental Parking Layout-CUP Exhibit” submitted by the applicant on March 17, 2026 and attached as Exhibit “C”.
3. No more than ten (10) rental trucks, as specified herein, shall be displayed and stored on the property at any given time. The rental trucks shall only be displayed and stored in the designated parking spaces as specifically depicted on Exhibit “C”.
4. All trucks displayed and stored on the property for the purpose of being offered for rent shall not be parked in such a manner that impedes vehicular circulation of drive aisles on the property.
5. Repair and/or servicing of rental trucks shall not be permitted on the subject property.
6. The applicant shall obtain all necessary permits prior to operation of the use and shall comply with applicable codes, ordinances and regulations of federal, state and local government.

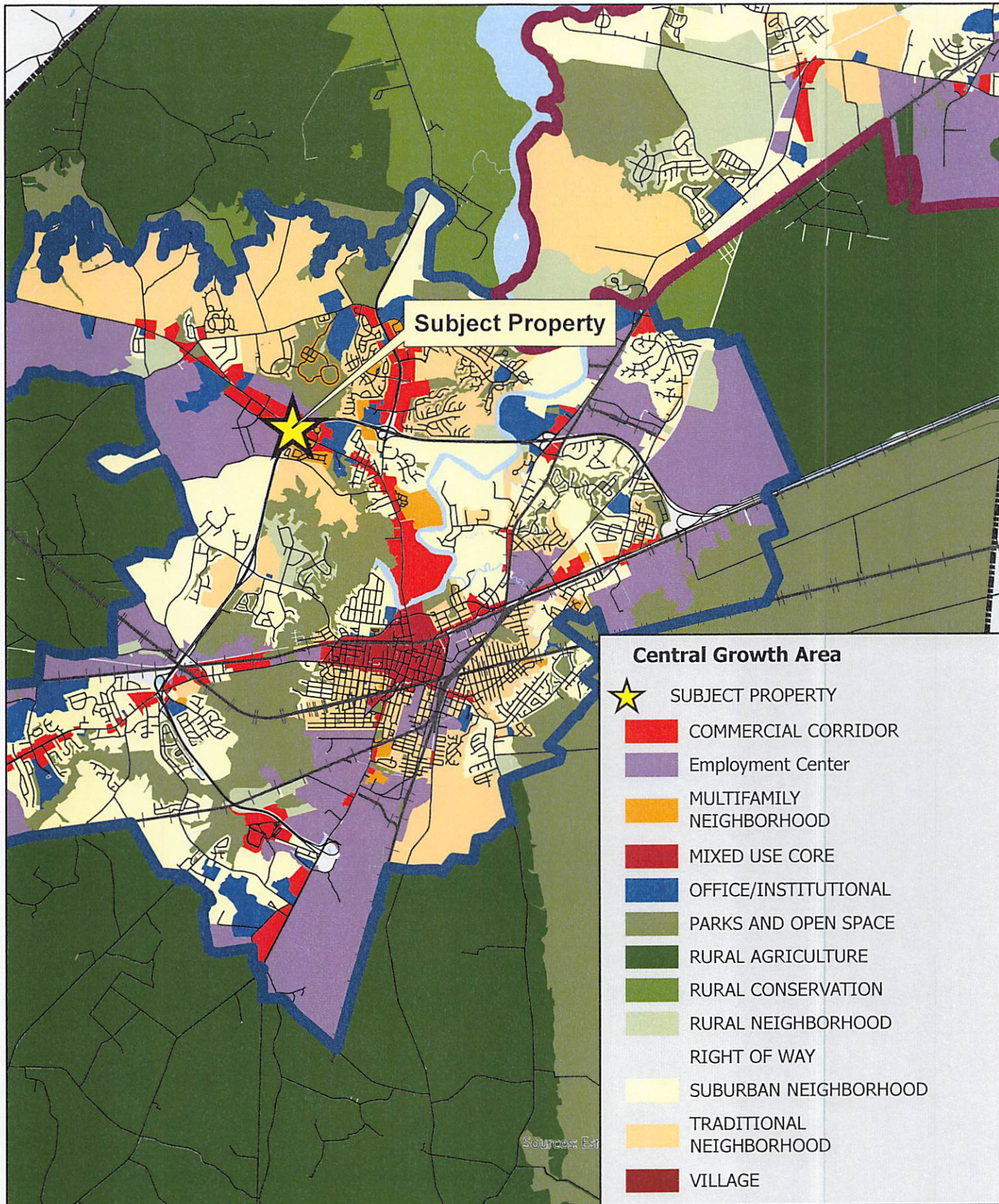
The Planning Commission, at their meeting on April 21, 2026, through Resolution No. 26-04-05, voted 5 to 1 (Commissioner Edwards dissenting, Commissioners Hicks and Goodman absent) to recommend approval of this request with conditions. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

#### Attachments

- General Location Map
- Zoning / Land Use Map
- Applicant’s Narrative
- Application Disclosure Form
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – “U-Haul Rental Parking Layout-CUP Exhibit”



# GENERAL LOCATION MAP CUP2026-00005



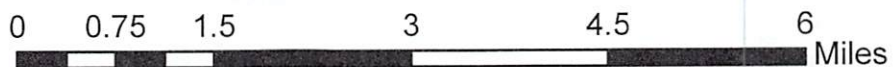
Subject Property

### Central Growth Area

-  SUBJECT PROPERTY
-  COMMERCIAL CORRIDOR
-  Employment Center
-  MULTIFAMILY NEIGHBORHOOD
-  MIXED USE CORE
-  OFFICE/INSTITUTIONAL
-  PARKS AND OPEN SPACE
-  RURAL AGRICULTURE
-  RURAL CONSERVATION
-  RURAL NEIGHBORHOOD
-  RIGHT OF WAY
-  SUBURBAN NEIGHBORHOOD
-  TRADITIONAL NEIGHBORHOOD
-  VILLAGE

Sources: Esri

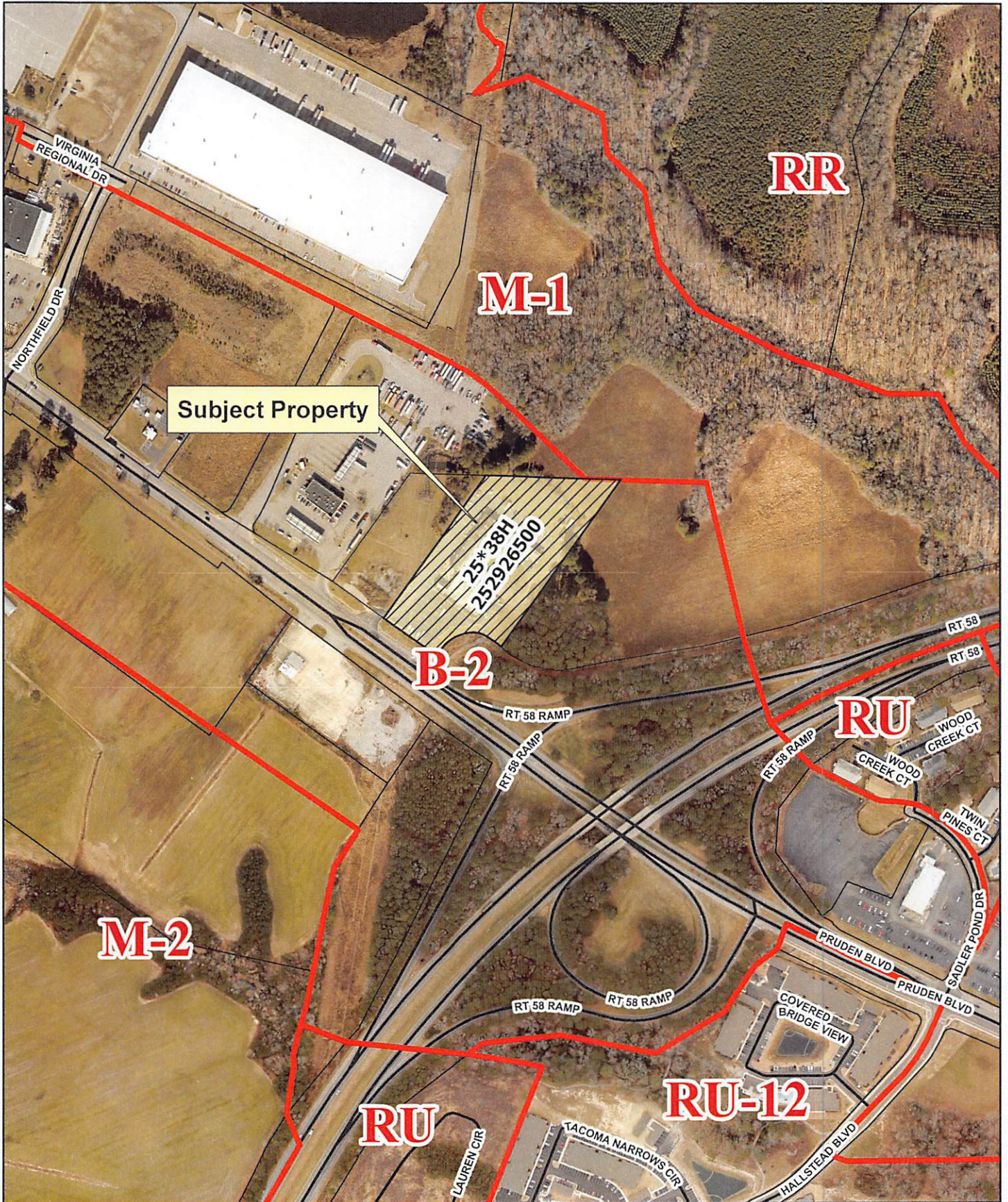
Author: KOSSAI  
Date: 02-04-2026





# ZONING / LAND USE MAP

## CUP2026-00005



Author: KOSSAI  
Date: 02-04-2026

0 162.5 325 650 975 1,300  
Feet

Image: Suffolk Pictometry 2024



# ITEM 1 – NARRATIVE DESCRIPTION OF THE PROPERTY

**Property Address:** 2864 Pruden Blvd, Suffolk, Virginia 23434

**Zoning District:** B-2 (General Commercial)

**Tax Map / Parcel Number:** 25\*38H/252926500

The subject property is a developed commercial parcel located along Pruden Boulevard within the City of Suffolk. It is currently improved with a motel providing transient lodging accommodations, associated parking areas, internal circulation drives, and supporting site improvements. The site also contains an on-site restaurant and meeting spaces located within the existing commercial building on the property, which operate as part of the overall hospitality use serving hotel guests, visitors and area residents. These facilities are integrated within the existing development and utilize the same site infrastructure, circulation, and parking areas. The property is situated in a travel-oriented commercial corridor characterized by hotels, truck stops, logistics-related services, and other commercial uses serving travelers, truck drivers, and nearby residents.

## **Legal Description:**

Beginning at a point at the northwestern corner of the property, identified by the intersection of the property line and the right-of-way of Pruden Blvd, thence running along the northern boundary North 35°48'30" East for a distance of 546.86 feet, thence South 86°34'36" East for 420.39 feet, thence South 35°48'38" West for 615.52 feet, thence South 87°03'30" West for 87.37 feet, thence North 64°11'80" West for 182.71 feet, returning to the point of beginning. No changes are proposed to the existing property boundaries, lot area, or boundary geometry.

## ITEM 2 – NARRATIVE DESCRIPTION OF THE PROPOSED USE

The proposed use consists of designating a limited portion of the existing parking area for operation as a U-Haul pickup and drop-off location serving customers requiring short-term access to moving trucks and trailers. This activity functions as an ancillary and secondary commercial use within the B-2 zoning district and is consistent with the service-oriented and commercial character of the surrounding area.

The proposed activity is intentionally limited in scale and intensity. All U-Haul transactions will be conducted by existing on-site staff, and no additional employees are proposed. At no time will more than **ten (10)** U-Haul vehicles be located on the property. The designated U-Haul areas are confined to existing paved parking areas, as shown on the accompanying site plan, and consist of **10 (10)** designated parking spaces. No changes to parking layout, circulation patterns, access points, or site infrastructure are proposed.

The property will not function as a vehicle repair, maintenance, or service location. No mechanical work, servicing, washing, fueling, or vehicle repairs will occur on-site. The use is limited exclusively to vehicle pickup and return, ensuring that the activity remains low-impact and compatible with adjacent commercial uses.

**Trip Generation (ITE Trip Generation Manual, 11th Edition):** At the request of Traffic Engineering, the applicant provides a planning-level estimate using ITE Land Use Code (LUC) 811 – “Construction Equipment Rental Store” as the closest available proxy for a light truck rental activity. The ITE 11th Edition PM peak-hour trip generation rate for LUC 811 is 0.99 PM peak-hour vehicle trips per 1,000 square feet of rental area. For planning purposes, the designated U-Haul parking/activity area shown on the plan is approximately 1,870 square feet. Applying the ITE PM peak-hour rate yields:  $0.99 \times (1,870 \div 1,000) = 1.85$  PM peak-hour trips ( $\approx 2$  PM peak-hour trips).

**Historical Activity (Applicant Records):** Based on historical operating data for the past five (5) years, the U-Haul activity has averaged approximately 5 customers per day (approximately 10 daily vehicle trips), which is below the conservative planning-level estimate.

**City of Suffolk**  
**Department of Planning and Community Development**  
**DISCLOSURE STATEMENT FORM**



<b>OFFICE INFORMATION: To be completed by staff</b>			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

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. The 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 Suffolk requiring action by the City Council or a City board, commission or other body.

**PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant**

**Important Notice:** Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.

**APPLICANT INFORMATION**

Applicant Name: EDIFICE HOLDINGS LLC

Property Address(es): 2864 PRUDEN BLVD, SUFFOLK, VA 23434

Tax Map Number(s): 25 \* 38 H

Account Number(s): 252926500

Is Applicant the owner of the subject property?  YES  NO

Does the Applicant have a Representative?  YES  NO

If yes, name of Representative: \_\_\_\_\_

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business?  YES  NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

HASSAN RABBANI

TAIMUR ALI KHAN

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

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**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/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 (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>
Real Estate Broker/Agent/Realtor	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>
Accounting/Tax Preparation	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>
Construction Contractor	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>
Engineer/Surveyor/Agent	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>
Legal Services	<input type="checkbox"/> <input checked="" type="checkbox"/>	<hr/>

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

Property Owner Name: EDIFICE HOLDINGS LLC  
 (as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

HASSAN RABBANI

TAIMUR ALI KHAN

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: \_\_\_\_\_

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contiguous on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

\_\_\_\_\_  
 \_\_\_\_\_

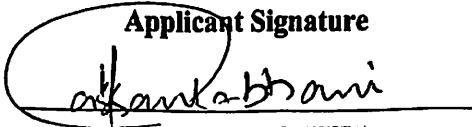
**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/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 (Name of entity and/or individual)
	(select one)		
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Legal Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

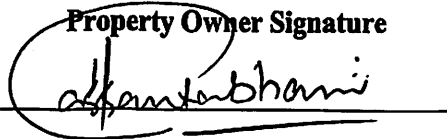
**APPLICANT CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Applicant Name (Print)	Applicant Signature	Date
<u>EDIFICE HOLDINGS LLC</u>	<u></u>	<u>01-15-26</u>

**PROPERTY OWNER CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Property Owner Name (Print)	Property Owner Signature	Date
<u>EDIFICE HOLDINGS LLC</u>	<u></u>	<u>01-15-26</u>

“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.

“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.

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A RENTAL SERVICE OTHER THAN PASSENGER VEHICLES (OUTDOOR DISPLAY/STORAGE) USE ON PROPERTY LOCATED AT 2864 PRUDEN BOULEVARD, ZONING MAP 25, PARCEL 38H, ACCOUNT NUMBER 252926500; CUP2026-005**

WHEREAS, Hassan Rabbani, Edifice Holdings, LLC, applicant and property owner, has requested a Conditional Use Permit to establish a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, which land is designated on the Zoning Map of the City of Suffolk, Virginia as Zoning Map 25, Parcel 38H, and is more particularly depicted in Exhibit "B"; and,

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

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

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

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

Section 1.     Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", and Exhibit "C", "U-Haul Rental Parking Layout-CUP Exhibit", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2.     Findings.

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

These findings are based upon the consideration for the existing use and character of property,

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

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of the rental service other than passenger vehicles (outdoor display/storage) use is by the imposition of the conditions provided herein.

### Section 3. Permit Granted.

The Conditional Use Permit for the property be, and is hereby approved for the property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The Conditional Use Permit specifically permits a rental service other than passenger vehicles (outdoor display/storage) use in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

#### Conditions

1. This Conditional Use Permit shall authorize a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, Zoning Map 25, Parcel 38H; as identified and depicted in Exhibit "B".
2. The truck rental operation shall be established and operated in substantial conformance, except as modified herein, with the concept plan titled "U-Haul Rental Parking Layout-CUP Exhibit" submitted by the applicant on March 17, 2026 and attached as Exhibit "C".
3. No more than ten (10) rental trucks, as specified herein, shall be displayed and stored on the property at any given time. The rental trucks shall only be displayed and stored in the designated parking spaces as specifically depicted on Exhibit "C".
4. All trucks displayed and stored on the property for the purpose of being offered for rent shall not be parked in such a manner that impedes vehicular circulation of drive aisles on the property.
5. Repair and/or servicing of rental trucks shall not be permitted on the subject property.
6. The applicant shall obtain all necessary permits prior to operation of the use and shall comply with applicable codes, ordinances and regulations of federal, state and local government.

### Section 4. General Conditions.

- (a) The Conditional Use Permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days' written notice to the property owner or their successors in interest, and a hearing at which time all such

persons shall have the opportunity to be heard.

- (b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.
- (c) The commencement of the Use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or maintaining such Use, of the conditions to which the Conditional Use Permit herein granted is subject.

Section 5. Severability.

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

Section 6. Recordation.

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


Section 7. Effective Date.

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

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**EXHIBIT "A"**

**RESOLUTION NO. 26-04-05**

**CITY OF SUFFOLK PLANNING COMMISSION**

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT  
CUP2026-005**

**TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A RENTAL SERVICE  
OTHER THAN PASSENGER VEHICLES (OUTDOOR DISPLAY/STORAGE) USE ON  
PROPERTY LOCATED AT 2864 PRUDEN BOULEVARD, ZONING MAP 25, PARCEL  
38H, ACCOUNT NUMBER 252926500**

**WHEREAS**, Hassan Rabbani, Edifice Holdings, LLC, applicant and property owner, has requested a Conditional Use Permit to establish a rental service other than passenger vehicles (outdoor display/storage) use on property located at 2864 Pruden Boulevard, which land is designated on the Zoning Map of the City of Suffolk, Virginia as Zoning Map 25, Parcel 38H, and is more particularly depicted in Exhibit "B"; and,

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

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

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a Conditional Use Permit, as submitted or modified herein:


- a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c) Will be no more injurious to property or improvements in the neighborhood, or
- d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2026-005 be:

- a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b) Denied, and that Council not adopt the proposed Ordinance.
- c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: April 21, 2026

TESTE: 

# **CONDITIONAL USE PERMIT**

**CUP2026-005**

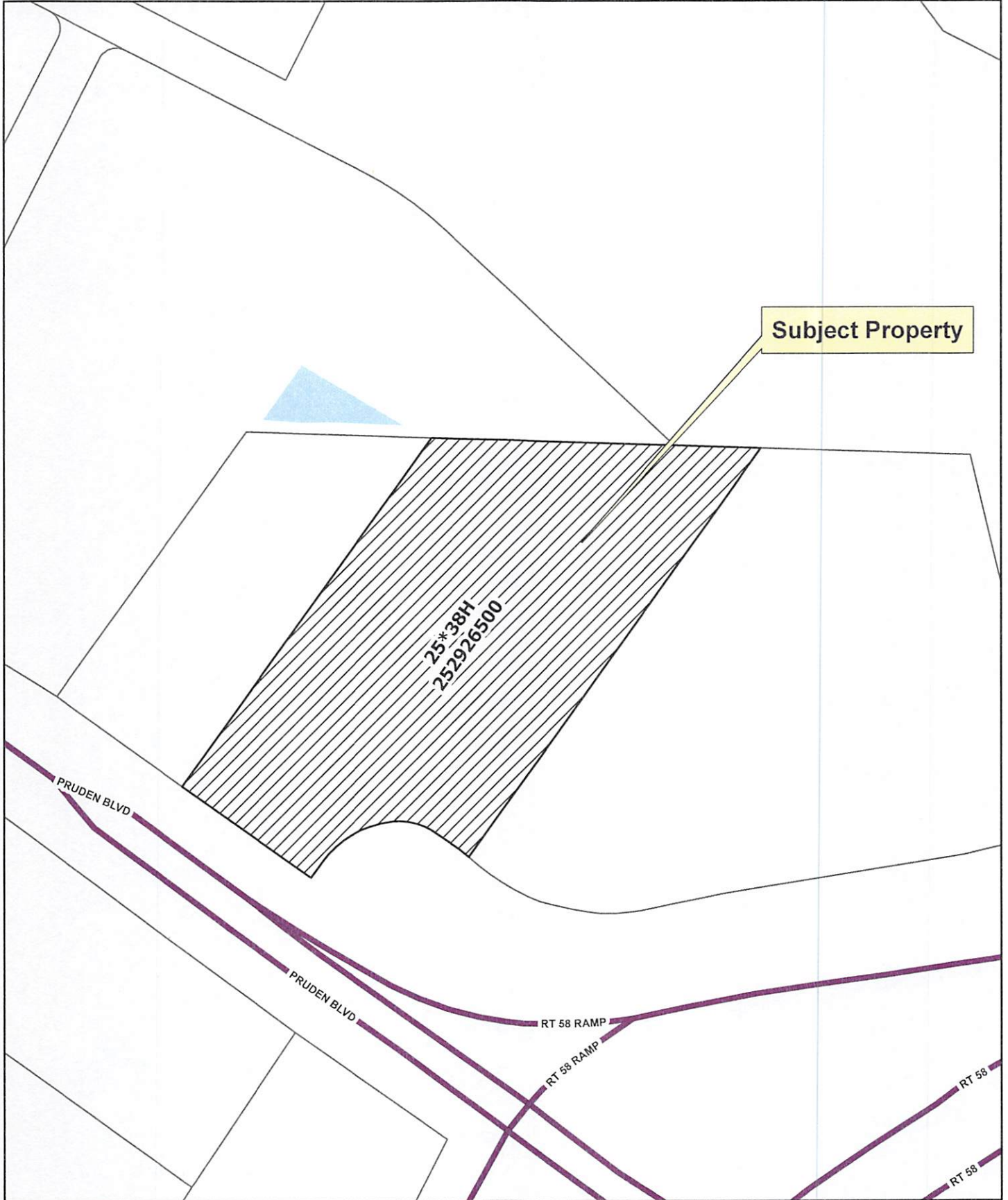
## **CONDITIONS**

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2. The truck rental operation shall be established and operated in substantial conformance, except as modified herein, with the concept plan titled "U-Haul Rental Parking Layout-CUP Exhibit" submitted by the applicant on March 17, 2026 and attached as Exhibit "C".
3. No more than ten (10) rental trucks, as specified herein, shall be displayed and stored on the property at any given time. The rental trucks shall only be displayed and stored in the designated parking spaces as specifically depicted on Exhibit "C".
4. All trucks displayed and stored on the property for the purpose of being offered for rent shall not be parked in such a manner that impedes vehicular circulation of drive aisles on the property.
5. Repair and/or servicing of rental trucks shall not be permitted on the subject property.
6. The applicant shall obtain all necessary permits prior to operation of the use and shall comply with applicable codes, ordinances and regulations of federal, state and local government.

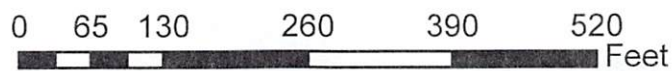


# PROPERTY MAP CUP2026-00005

EXHIBIT B



Author: KOSSAI  
Date: 02-04-2026



EXIST. GUEST WING 2 STORY

EXIST. GUEST WING 2 STORY

EXIST. GUEST WING 2 STORY

EXIST. CONC. APRON

EXIST. SWIMMING POOL

STAIR NO. 3

23 PARKING SPACES

25 PARKING SPACES

EXIST. FIBERGLASS POLE AND LIGHTS

PROPERTY

EXIST. WOOD FENCE

EXIST. GAS METER

EXISTING CONC. WALK (TYP)

EXIST. 8'-0" H. CHAIN LINK FENCE

STAIR NO. 4

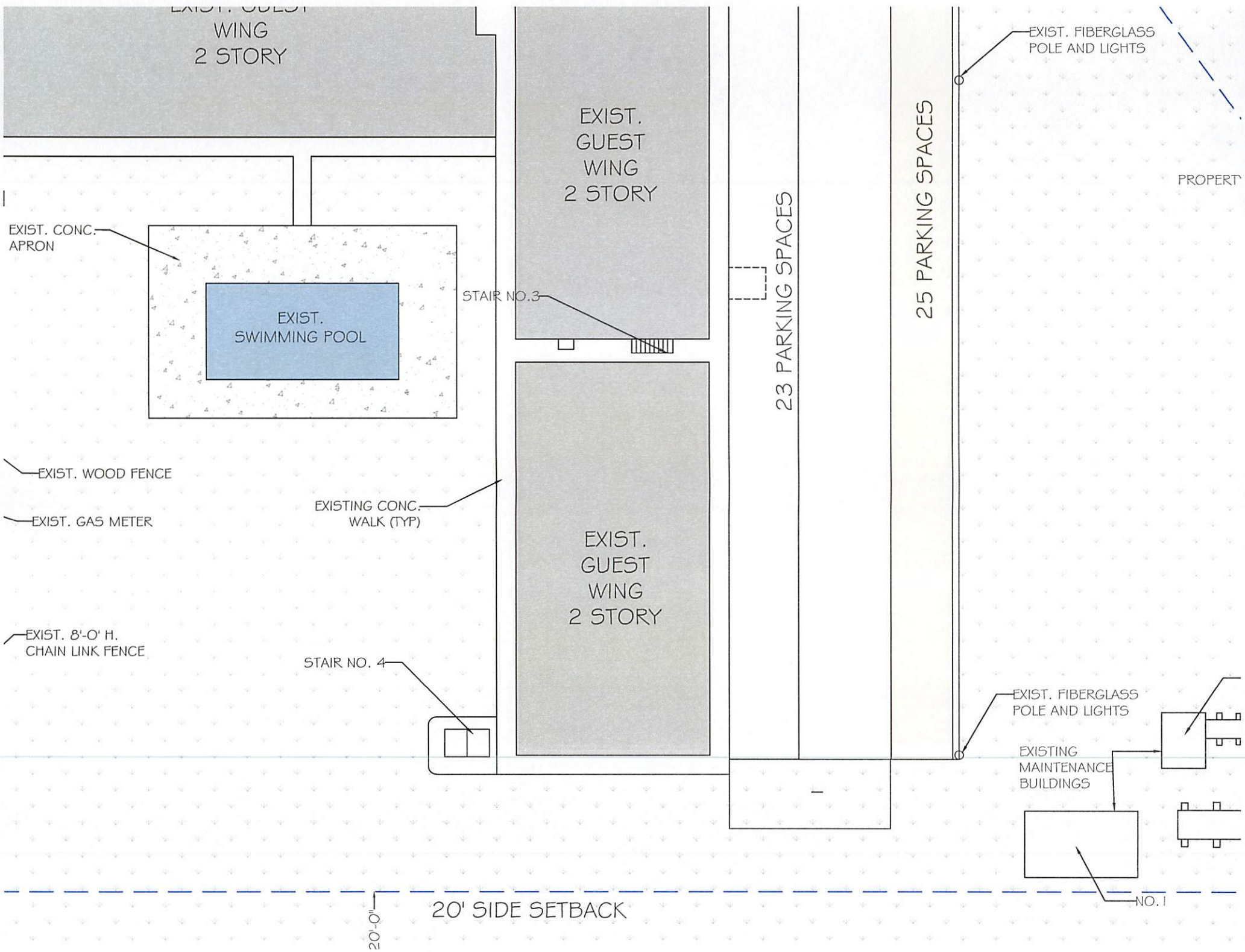
EXIST. FIBERGLASS POLE AND LIGHTS

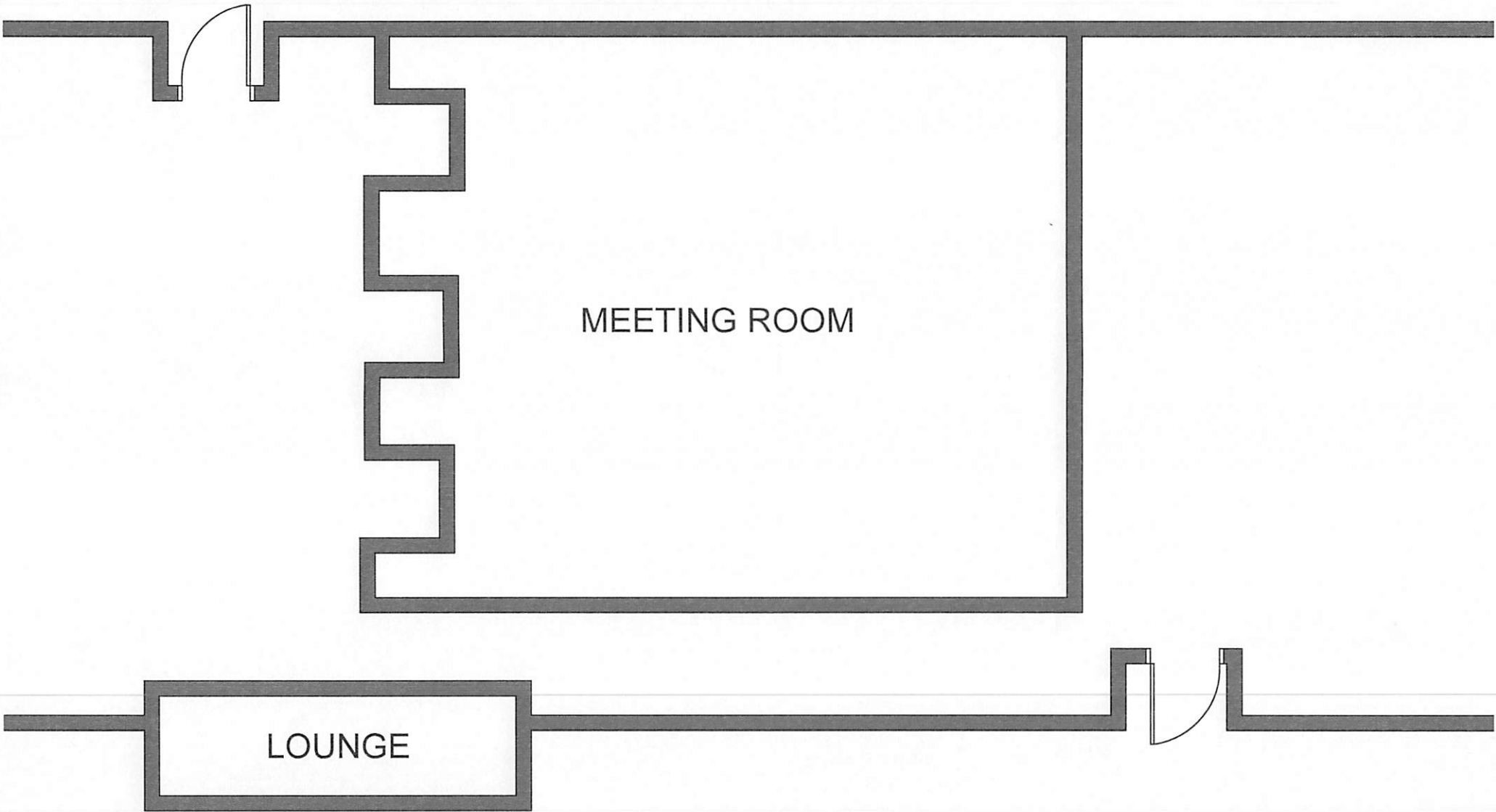
EXISTING MAINTENANCE BUILDINGS

NO. 1

20'-0"

20' SIDE SETBACK





MEETING ROOM

LOUNGE

**AGENDA: May 20, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a pawn shop on property located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F, Account Numbers 353129000 and 350800000, CUP2026-008

Attached for your consideration is information pertaining to Conditional Use Permit Request CUP2026-008, submitted by John Wade Hampton Lloyd, applicant, on behalf of RIRA Realty Management, LLC, property owner, in accordance with Sections 31-306, 31-406 and 31-711 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a pawn shop on property located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F. The affected area is further identified as being located in the Suffolk Voting Borough, zoned B-2, General Commercial Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Commercial Corridor Land Use Type.

The Planning Commission, at their meeting of April 21, 2026, through Resolution No. 26-05-06, voted 3 to 3 (Commissioners Hicks and Goodman absent) on a motion to recommend approval of this request. Given the vote was tied, the motion failed, resulting in a recommendation of **denial**. Therefore, this item is presented to City Council with a recommendation of denial from the Planning Commission.

**ATTACHMENTS:**

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

# STAFF REPORT

## DESCRIPTION

**CONDITIONAL USE PERMIT REQUEST:** Conditional Use Permit request, CUP2026-008, in accordance with Sections 31-306, 31-406, and 31-711 of the Unified Development Ordinance, to establish a pawn shop.

**APPLICANT:** Submitted by John Wade Hampton Lloyd, applicant, on behalf of RIRA Realty Management, LLC, property owner.

**LOCATION:** The subject property is located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F.

**PRESENT ZONING:** The subject property, T.M. 34G15(1)\*G & T.M. 34G15(1)\*F, is zoned B-2, General Commercial Zoning District.

**EXISTING LAND USE:** The subject property consists of two parcels that total 5.3 acres in size, with approximately of 280 feet of frontage along West Constance Road and 89 feet of frontage along West Washington Street. The property is developed with a one-story shopping center containing a variety of commercial tenants, a fast-food restaurant, and a large parking lot.

**PROPOSED LAND USE:** The applicant proposes to establish a pawn shop within Unit 11 (addressed as 821 West Constance Road) in the existing shopping center.

### **SURROUNDING LAND USES:**

- North: Railroad right-of-way, with undeveloped wooded land and a vacant commercial building beyond zoned B-2, General Commercial zoning district.
- South: West Washington Street, with office and retail businesses beyond, zoned CBD, Central Business zoning district.
- East: West Constance Road, with various commercial and office uses beyond zoned CBD, Central Business zoning district
- West: Lipton Tea processing facility, zoned M-1, Light Industrial zoning district.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Commercial Corridor Land Use Type.

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

**FLOOD PLAIN:** The property falls within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel No. 5101560230E of the City of Suffolk, Virginia 2015 Flood Map.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing

a copy of the staff report, was also sent on April 17, 2026.

**CASE HISTORY:** There is no relevant case history to report.

### **STAFF ANALYSIS**

#### **ISSUE**

The subject property is developed with a shopping center that contains a mix of retail and restaurant uses, as well as a skating rink. The applicant is requesting a Conditional Use Permit (CUP) to establish a pawn shop within an existing unit in the shopping center, located at the intersection of West Constance Road and West Washington Street, as generally depicted on the attached sketch plan. No interior alterations to the unit are proposed, and the applicant will be installing furniture and implementing security measures, as further detailed in this report and the attached narrative.

The proposed pawn shop will offer a variety of items for sale and provide short-term loans (pawns). The applicant has indicated that the buying and selling of firearms could also occur on-site in the future. The applicant has also submitted a floor plan and sketch plan showing the general layout of the space, including where display areas and safes will be located.

#### **CONSIDERATIONS AND CONCLUSIONS**

1. Sections 31-306 and 31-406 of the Unified Development Ordinance (UDO) require a Conditional Use Permit (CUP) to be obtained to establish a pawn shop within the B-2, General Commercial Zoning District. The applicant's proposed pawn shop thus requires a CUP to be approved by City Council prior to establishment.
2. Section 31-711 of the UDO contains a single supplemental regulation for pawn shops; that these establishments must comply with Chapter 18 of Suffolk City Code and Section 54.1-4000 of the Code of Virginia. Chapter 18 of the Suffolk City Code specifies several provisions, separate from the UDO, pertaining to Secondhand Dealer and Pawnbroker operations. The City Code regulations compel the applicants to obtain permits to operate from both the Chief of Police and from the Circuit Court, a retail license from the Commissioner of the Revenue, and to track daily businesses activity. City Code also prohibits those under the age of 18 from patronizing pawn shops. The cited section of the Code of Virginia defines "pawn shop" and "pawnbroker".
3. The applicant's narrative states that the proposed pawn shop will operate entirely within the existing building with no permanent structural alterations, and that all improvements will consist of movable furniture and equipment, with no modifications to the building footprint, exterior façade, load-bearing elements, or utility infrastructure. The use will rely on existing utilities, parking, and access points without expansion or reconfigurations. All business activities, including transactions, storage, and display of merchandise, will occur indoors with no outdoor storage or exterior display. The business will operate Monday through Saturday from 10:00 a.m. to 7:00 p.m., with no more than three (3) employees in addition to the owner. Security measures, including window bars, an accordion-style gate, motion

sensors, and surveillance cameras, will be installed.

The applicant has indicated that while he has no immediate plans to do so, firearms could be sold and purchased as part of the proposed business in the future. Before any transactions involving firearms can occur, the applicant must obtain a Federal Firearms License (FFL) from the Federal Department of Alcohol, Tobacco, and Firearms (ATF) prior to the commencement of buying and selling firearms as part of the pawn shop operation. A condition of approval is proposed to enforce this requirement.

4. An Environmental Site Assessment (ESA) was waived for this CUP request, as no land disturbance is proposed. The Department of Public Works has reviewed the application materials and expressed no concerns at the time of this report.
5. A Major Water Quality Impact Assessment was waived for this request. While the property is within the Chesapeake Bay Preservation Area overlay, the property is currently developed and the applicant is proposing no land disturbance as part of this request. The Department of Public Works reviewed the request and expressed no concerns.
6. A traffic study was waived for this application, as the traffic generated by the proposed pawn shop will likely not generate any excess vehicle trips beyond those encompassed by the trip generation rate associated with the shopping center as a whole. The Department of Public Works' Traffic Engineering Division has reviewed this request has expressed no concerns.
7. The subject property is served by both public water and sanitary sewer. The applicant is not proposing any new plumbing fixtures as part of this request nor requires any new connections to services, and thus no increased public water or sewer demand resulting from the establishment of the proposed business is anticipated. The Department of Public Utilities has reviewed this request and expressed no concerns.
8. Pursuant to Section 31-306 of the UDO, a Conditional Use Permit (CUP) provides a means of authorizing certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right. Rather, such uses are permitted through the approval of a CUP by City Council when the right set of circumstances and conditions are found acceptable. Section 31-306(c) specifically establishes eight criteria that should be satisfied for approval. The proposed pawn shop meets these requirements as follows:

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

The applicant's proposed pawn shop business is a listed conditional use in the B-2 zoning district. As noted prior in this report, there are specific supplemental use regulations pawn shops within Section 31-711 of the UDO, however, the single supplemental regulation within that section simply states that pawn shops must comply with Suffolk City Code (Chapter 18, Article V) and of the Code of Virginia. City Code requires a pawnbroker license and other business regulations that are enforced

separately from the UDO, and a condition of approval is proposed to reiterate that the applicant, if the CUP is approved, must comply with both City and State Code.

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

The 2045 Comprehensive Plan designates the subject property within the Central Growth Area, Commercial Corridor Land Use Type. This site is already developed with a shopping center and a stand-alone fast-food restaurant. The shopping center contains a variety of retail and commercial businesses. Immediately adjacent to the proposed pawn shop is a closed smoke/vape store and a proposed restaurant. The establishment of a pawn shop is generally consistent with the subject property's designation in the Comprehensive Plan and is compatible with the surrounding development intensity in this area of the City.

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

The subject property is served by a primary commercial entrance on West Constance Road, located approximately 396 feet north of the signalized intersection of West Constance Road and West Washington Street, and a secondary commercial entrance on West Washington Street approximately 83 feet west of the aforementioned intersection. The proposed pawn shop will be located in a single unit 1,656 square feet in size, with the customer-accessible area of 1,150 square feet in size. The applicant notes about three employees would be located on site. Given this proposed use will have a traffic impact comparable to typical retail uses located within shopping centers, stand-alone trip generation calculations are not necessarily needed given the limited size of the business, and the additional vehicular trips generated by this use are likely captured within overall trips generated by the shopping center as a whole. Therefore, it is reasonable to conclude that any impact on traffic patterns in the area will be negligible.

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

The proposed pawn shop is not expected to negatively impact adjacent properties, as this use will be in a central retail unit embedded in the middle of the existing shopping center and will not have any exterior operations. The proposed hours of operations are 10:00 AM to 7:00 PM Monday through Saturday, so late-night noise or disruption is not anticipated.

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

The proposed use should not negatively affect the use and enjoyment of the surrounding property owners or impair property values as it will be within an existing shopping center. The applicant proposed several security measures to secure the business during the daytime and after-hours. The Police Department has reviewed the proposed and offered suggestions as to security measures for the business, including video surveillance, alarms, and secure storage. A condition of approval is proposed to ensure these security measures are installed and maintained.

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

The pawn shop is proposed on a developed parcel and has no associated land disturbance or site improvements. West Constance Road and West Washington Street are developed, and the proposed use alone is not anticipated to substantially impact redevelopment of this area of the City.

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

As previously stated in this report, while the owner does state that firearms might be offered for sale in the future, proposed conditions of approval strictly mandate the secure storage and display of all firearms, in addition to obtaining all licenses required by the federal Department of Alcohol, Tobacco, and Firearms (ATF). The applicant has proposed security cameras and an alarm system, and a proposed condition of approval enforces the installation of said systems. Additionally, conditions of approval are proposed to prevent the business from also operating as a "nuisance-adjacent" commercial use such as a payday lenders or check-cashing store. With proper security measures and conditions preventing undesirable secondary uses, the establishment of a pawn shop in this area should not be detrimental to the public health, safety, or morals.

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

The public interest and welfare are not anticipated to be compromised by the proposed pawn shop. As previously stated, the pawn shop will be placed in an existing unit within a shopping center and will have minimal traffic impacts. The individual interests of persons within the neighborhood should not be adversely impacted by the pawn shop.

## **RECOMMENDATION**

While pawn shops can have negative secondary effects on an area, such as overconcentration or

security concerns, the conditional use permit process allows for the case-by-case evaluation of these establishments and the imposition of appropriate conditions to mitigate negative impacts. For this particular request, staff's evaluation finds that this proposed pawn shop, with its particular operating characteristics, is generally acceptable in the proposed location. Further, compliance with applicable state law and local regulations set forth in Suffolk City Code governing pawn shop operations should prevent disturbances to surrounding properties. Therefore, due to the considerations and conclusions noted in this report, staff recommends approval of Conditional Use Permit request CUP2026-008, subject to the following proposed conditions:

1. This Conditional Use Permit is granted specifically to establish a pawn shop for the property located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F; as identified in Exhibit "B", "Property Map".
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances and regulations of federal, state and local government.
3. Firearms shall be stored in floor-mounted firearms safes when not being displayed and during non-business hours and shall remain secured at all times.
4. The applicant shall obtain a Federal Firearms License (FFL) from the Federal Department of Alcohol, Tobacco, and Firearms (ATF) prior to any receiving, buying, storing, or selling of firearms on the premises.
5. The pawn shop operation shall comply with the requirements of section 54.1-4000, et seq. of the Code of Virginia, (1950) as amended, as it relates to the operation of pawn shops. The pawn shop operation shall also comply with the terms of Suffolk City Code Sections 18-246 to 18-256, and, Section 82-1158, pertaining to provisions for Secondhand Dealer and Pawnbroker operations.
6. The pawn shop shall operate no later than 10:00 PM each night.
7. The applicant shall provide full motion sensors and video surveillance at the front and rear entrance/exits, the interior and the exterior of the building. The video shall be accessible by all employees on-site and must be approved by the Police Department.
8. An audible and strobe alarm system, with the audio to be heard outside the building, shall be installed.
9. Check cashing services shall not be permitted except as part of a normal business transaction.

The Planning Commission, at their meeting on April 21, 2026, through Resolution No. 26-04-06, voted 3 to 3 (Commissioners Hicks and Goodman absent) on a motion to recommend approval of this request. Given the vote was tied, the motion failed, resulting in a recommendation of **denial** from the Planning Commission. Therefore, this item is presented to City Council with a recommendation of denial from the Planning Commission. However, should City Council choose

to approve this request, staff recommends incorporating the conditions set forth in the proposed approving Ordinance attached to this report.

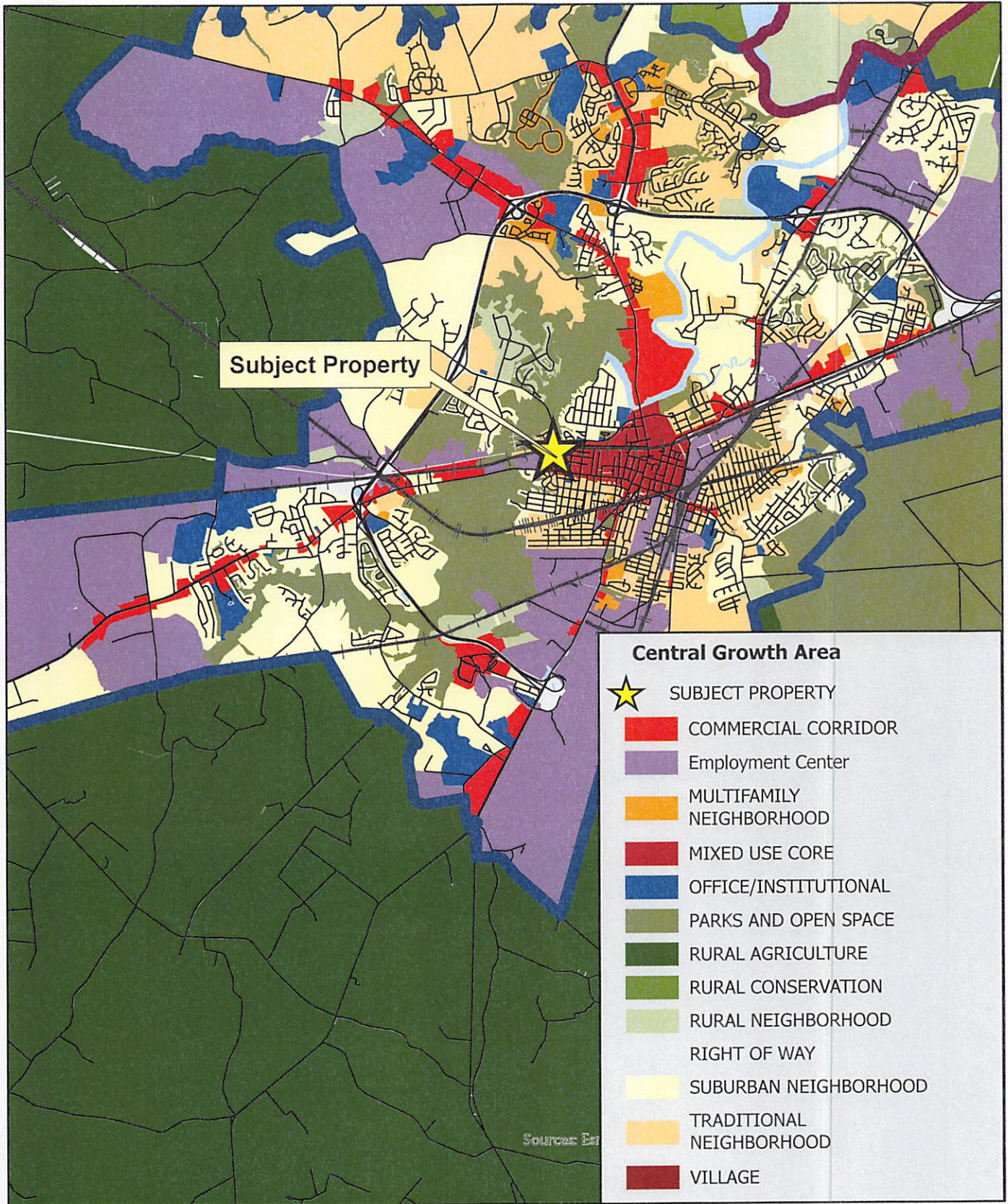
#### Attachments

- General Location Map
- Zoning / Land Use Map
- Applicant's Narrative
- Application Disclosure Form
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – Sketch Plan
- Exhibit D – Floor Plan

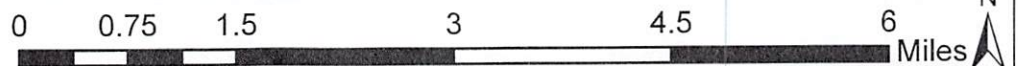


# GENERAL LOCATION MAP

## CUP2026-00008



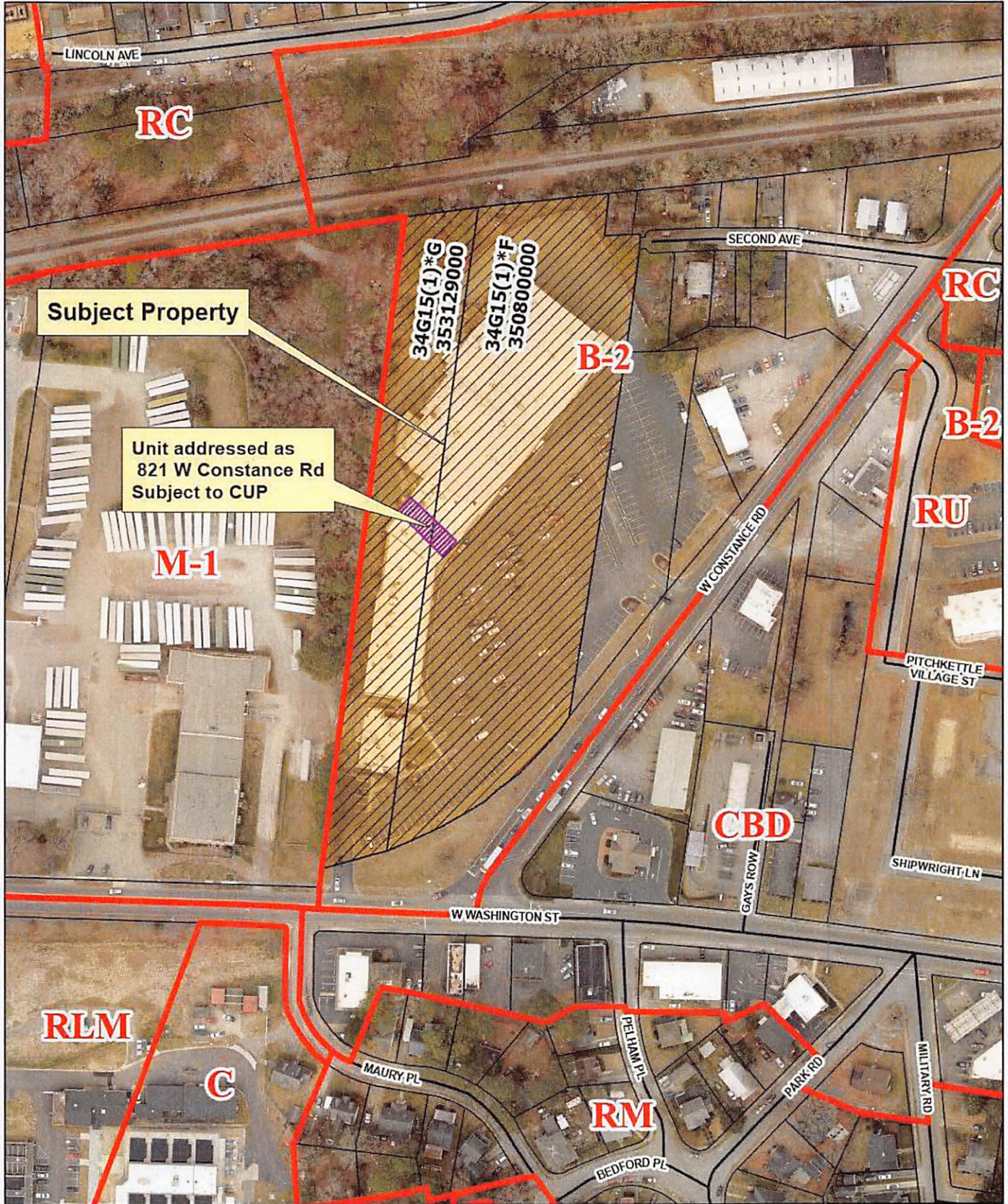
Author: KOSSAI  
Date: 03-03-2026





# ZONING / LAND USE MAP

## CUP2026-00008



Subject Property

Unit addressed as  
821 W Constance Rd  
Subject to CUP

34G15(1)\*G  
353129000

34G15(1)\*F  
350800000

Author: KOSSAI/CAUBUT  
Date: 03-04-2026

0 65 130 260 390 520  
Feet

Image: Suffolk Pictometry 2024



2) Narrative description:

The proposed use of the subject property is the operation of a pawnshop, conducted entirely within an existing building, with no permanent structural alterations to the property. The use will consist solely of the placement of movable furniture and equipment, including computers, desks, shelving, and display cases used for the temporary storage and display of merchandise.

All improvements associated with the proposed use will be non-permanent and removable, and no modifications to the building's footprint, exterior façade, load-bearing elements, or utility infrastructure are proposed. The operation will utilize existing utilities, parking, access points, and ingress/egress without expansion or reconfiguration.

The pawnshop will function as a low-intensity commercial use, with normal business hours and customer traffic consistent with similar small retail establishments. No outdoor storage, exterior display, or signage beyond what is permitted by local ordinance is proposed. All transactions, storage, and display of merchandise will occur indoors.

The proposed use is intended to be compatible with surrounding uses and zoning districts and will not generate significant noise, traffic, or other impacts beyond those typical of a small retail business.

It will operate at normal business hours. Mon-Sat 10 am to 7pm and will be closed on Sundays. I plan to have at most three employees other than myself. I plan to weld bars for the windows and have an accordion style gate across the front. I will have full motion sensor and camera security. There will be three large safes in the back to start. The front will consist of three computer stations and a U shaped display allowing good visibility of the entire store.

**Plans for Firearms within Shop:**

**During Normal Business Hours (10am-7pm): All Firearms will be displayed along the backside of the store walls, more than 6 feet apart from the frontside of the store countertop and display cases.**

**During Closed Hours (7pm-10am): All Firearms will be securely stored inside a safe within the store premises.**

**Owner Experience:**

**The owner has nearly ten years of experience in the pawn industry and has previously managed four pawn shop locations in Northern Virginia. In addition, the owner maintains professional relationships with some of the oldest and largest pawn businesses in Virginia, including a group that operates seven locations known as "The Vault." The owner also has strong family ties to the Suffolk and Smithfield areas and is committed to operating a responsible and reputable business that contributes positively to the local community.**

City of Suffolk

Department of Planning and Community Development  
DISCLOSURE STATEMENT FORM



**OFFICE INFORMATION: To be completed by staff**

Application Number:		Project Name:	
Project Address:		Date Submitted:	

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. The 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 Suffolk requiring action by the City Council or a City board, commission or other body.

**PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant**

**Important Notice:** Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.

**APPLICANT INFORMATION**

Applicant Name: John Wade Hampton Lloyd

Property Address(es): 821 W. Constance Rd Suffolk, VA 23434

Tax Map Number(s): 34g15(1)\*g 34g15(1)\*f

Account Number(s): 353129000

Is Applicant the owner of the subject property?  YES  NO

Does the Applicant have a Representative?  YES  NO

If yes, name of Representative: \_\_\_\_\_

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business?  YES  NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

John Wade Hampton Lloyd

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

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**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/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
	(select one)		(Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>
Legal Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<hr/>

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

Property Owner Name: Venkatesh Ravirala c/o RIRA REALTY MANAGEMENT LLC  
(as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidiary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

\_\_\_\_\_

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: \_\_\_\_\_

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

\_\_\_\_\_

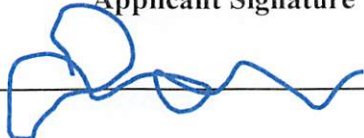
**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/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
	(select one)		(Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Legal Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

**APPLICANT CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Applicant Name (Print)	Applicant Signature	Date
<u>John Wade Hampton Lloyd</u>		<u>1/28/2026</u>

**PROPERTY OWNER CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- 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 two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Property Owner Name (Print)	Property Owner Signature	Date
<u>Venkatesh Ravirala</u>	<u>Rvenkatesh..</u>	<u>01/29/2026</u>

“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.

“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.

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A PAWN SHOP ON PROPERTY LOCATED AT 821 WEST CONSTANCE ROAD, ZONING MAP 34G15(1), PARCELS G AND F, ACCOUNT NUMBERS 353129000 AND 350800000; CUP2026-008**

WHEREAS, John Wade Hampton Lloyd, applicant, on behalf of RIRA Realty Management, LLC, property owner, has requested a Conditional Use Permit to establish a pawn shop, located at 821 West Constance Road, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 34G15(1), Parcels F and G, and is more particularly depicted in Exhibit "B"; and,

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

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Article 1, Sections 31-102 and Article3, 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1988(as amended), with respect to the purposes stated in Sections 15.2-220 and 15.2-2283 of the Code of Virginia; and,

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

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

Section 1. Exhibits.

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

Section 2. Findings.

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

These findings are based upon the consideration for the existing use and character of property, the Comprehensive Plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population, economic, and other studies, the transportation requirements of

the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestall land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

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

Section 3. Permit Granted.

The Conditional Use Permit for the property be, and is hereby approved for the property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The Conditional Use Permit is specifically for a pawn shop in compliance with Sections 31-306, 31-406, and 31-711 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit is granted specifically to establish a pawn shop for the property located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F; as identified in Exhibit "B", "Property Map".
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances and regulations of federal, state and local government.
3. Firearms shall be stored in floor-mounted firearms safes when not being displayed and during non-business hours and shall remain secured at all times.
4. The applicant shall obtain a Federal Firearms License (FFL) from the Federal Department of Alcohol, Tobacco, and Firearms (ATF) prior to any receiving, buying, storing, or selling of firearms on the premises.
5. The pawn shop operation shall comply with the requirements of section 54.1-4000, et seq. of the Code of Virginia, (1950) as amended, as it relates to the operation of pawn shops. The pawn shop operation shall also comply with the terms of Suffolk City Code Sections 18-246 to 18-256, and, Section 82-1158, pertaining to provisions for Secondhand Dealer and Pawnbroker operations.
6. The pawn shop shall operate no later than 10:00 PM each night.
7. The applicant shall provide full motion sensors and video surveillance at the front and rear entrance/exits, the interior and the exterior of the building. The video shall be accessible by all employees on-site and must be approved by the Police Department.
8. An audible and strobe alarm system, with the audio to be heard outside the building, shall be installed.
9. Check cashing services shall not be permitted except as part of a normal business transaction.

Section 4. General Conditions.

- (a) The Conditional Use Permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days' written notice to the property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.
- (b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.
- (c) The commencement of the Use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or maintaining such Use, of the conditions to which the Conditional Use Permit herein granted is subject.

Section 5. Severability.

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

Section 6. Recordation.

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

Section 7. Effective Date.

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

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
William E. Hutchings, Jr., City Attorney

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT  
CUP2026-008

TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A PAWN SHOP ON  
PROPERTY LOCATED AT 821 WEST CONSTANCE ROAD, ZONING MAP 34G15(1),  
PARCELS G AND F, ACCOUNT NUMBERS 353129000 AND 350800000

WHEREAS, John Wade Hampton Lloyd, applicant, on behalf of RIRA Realty Management, LLC, property owner, has requested a Conditional Use Permit to establish a pawn shop located at 821 W Constance Road on property designated on the Zoning Map of the City of Suffolk, Virginia as Zoning Map 34G15(1), Parcels G and F, which land is further depicted in Exhibit "B", "Property Map".

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

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

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a Conditional Use Permit, as submitted or modified herein:

- a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c) Will be no more injurious to property or improvements in the neighborhood, or
- d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2026-008, be:

- a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b) Denied, and that Council not adopt the proposed Ordinance.
- c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_

# **CONDITIONAL USE PERMIT**

**CUP2026-008**

## **CONDITIONS**

1. This Conditional Use Permit is granted specifically to establish a pawn shop for the property located at 821 West Constance Road, Zoning Map 34G15(1), Parcels G and F; as identified in Exhibit "B", "Property Map".
2. The applicant shall obtain all necessary permits prior to development and operation. The development and operations shall comply with applicable codes, ordinances and regulations of federal, state and local government.
3. Firearms shall be stored in floor-mounted firearms safes when not being displayed and during non-business hours and shall remain secured at all times.
4. The applicant shall obtain a Federal Firearms License (FFL) from the Federal Department of Alcohol, Tobacco, and Firearms (ATF) prior to any receiving, buying, storing, or selling of firearms on the premises.
5. The pawn shop operation shall comply with the requirements of section 54.1-4000, et seq. of the Code of Virginia, (1950) as amended, as it relates to the operation of pawn shops. The pawn shop operation shall also comply with the terms of Suffolk City Code Sections 18-246 to 18-256, and Section 82-1158, pertaining to provisions for Secondhand Dealer and Pawnbroker operations.
6. The pawn shop shall operate no later than 10:00 PM each night.
7. The applicant shall provide full motion sensors and video surveillance at the front and rear entrance/exits, the interior and the exterior of the building. The video shall be accessible by all employees on-site and must be approved by the Police Department.
8. An audible and strobe alarm system, with the audio to be heard outside the building, shall be installed.
9. Check cashing services shall not be permitted except as part of a normal business transaction.

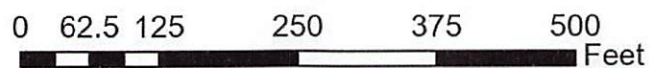


# PROPERTY MAP CUP2026-00008

EXHIBIT B



Author: KOSSAI/CAUBUT  
Date: 03-04-2026



# Exhibit C

Map of Area:

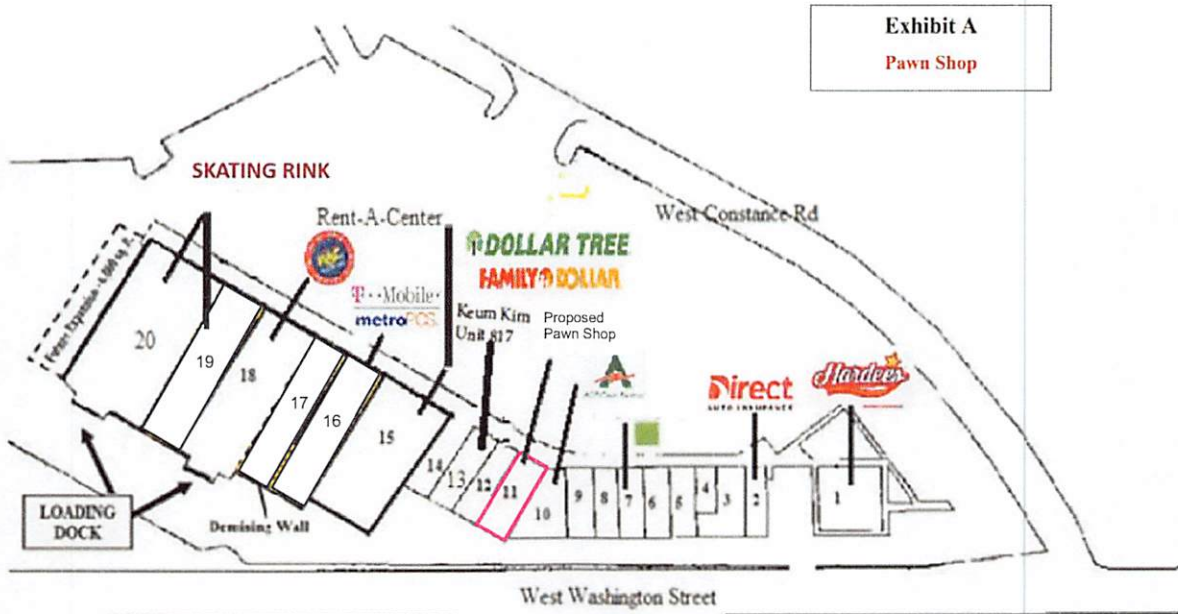


Exhibit D

3) Design of the Site:

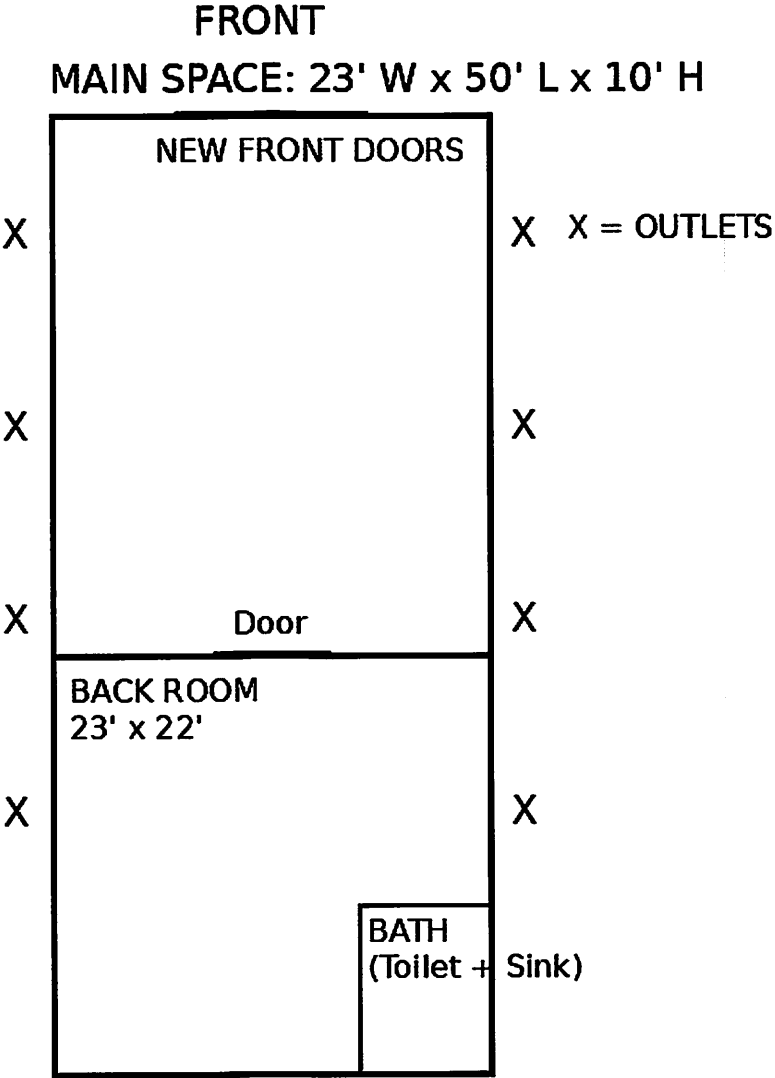
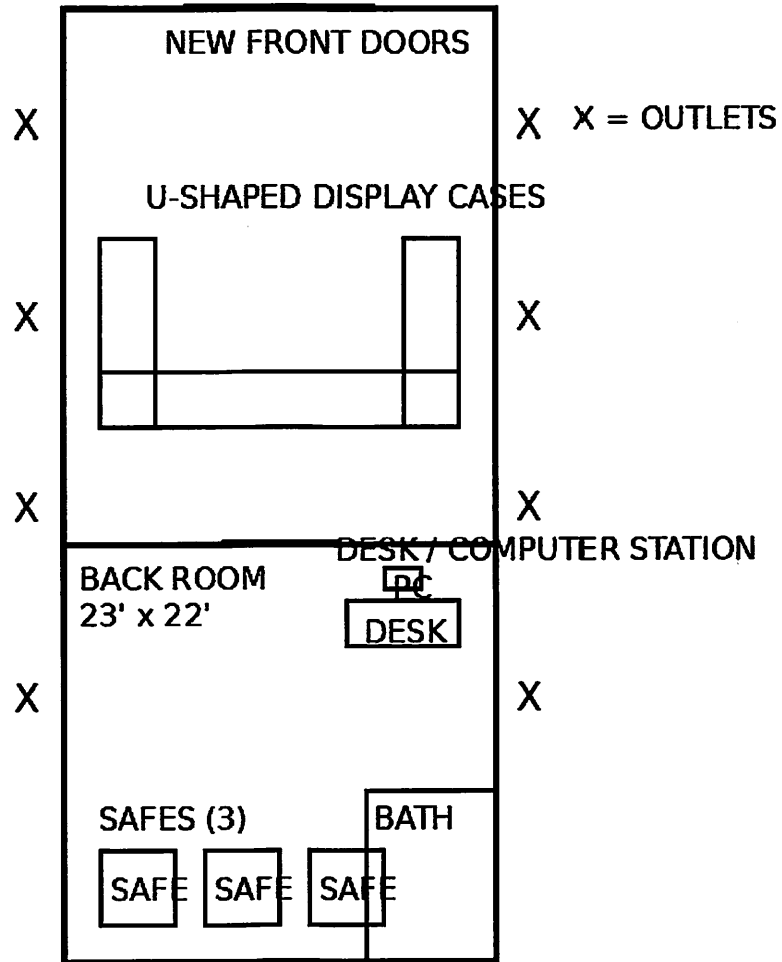
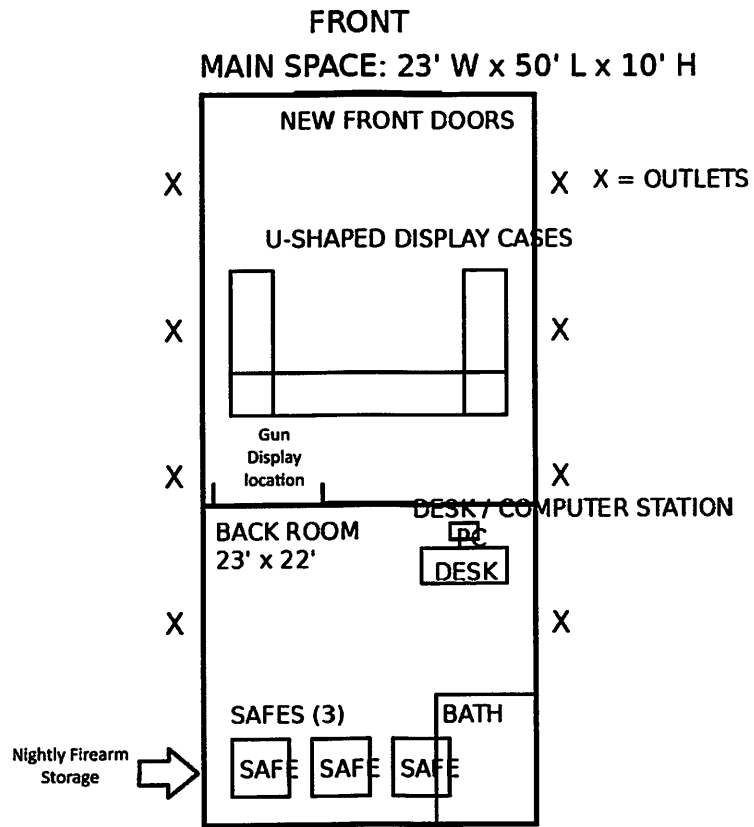


Exhibit D

FRONT  
MAIN SPACE: 23' W x 50' L x 10' H



# Exhibit D



# **Ordinances**

# **Resolutions**

**AGENDA: May 20, 2026**

**ITEM: Staff Summary Report – Significant Land Use Item**

The Director of Planning and Community Development will provide an overview of the following significant land use item, which is tentatively scheduled for public hearing at your July 15, 2026 meeting.

- **Conditional Use Permit Request, CUP2026-004**, submitted by James Parker with Clearwater Mitigation VI, LLC, applicant and property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a wetlands mitigation bank on property located at 2101 Buckhorn Drive, and consists of four contiguous parcels across Suffolk and Isle of Wight County. The subject property is further identified as Zoning Map 30, Parcel 14 in Suffolk and as Property IDs 67-01-013, 67-01-016, and 67-01-018 in Isle of Wight County.

The affected area is further identified as being located in the Holy Neck Voting Borough, zoned A, Agriculture Zoning District. The 2045 Comprehensive Plan designates this area as outside the Growth Area, Rural Agriculture Land Use Type.

**ATTACHMENTS:**

- Staff Summary Report
- General Location Map
- Zoning / Land Use Map
- Property Map
- Applicant's Narrative
- CUP Project Area Map

# CUP2026-004

## MYRTLE MITIGATION BANK

### STAFF SUMMARY

#### DESCRIPTION

**CONDITIONAL USE PERMIT REQUEST:** Conditional Use Permit Request, CUP2026-004, Myrtle Mitigation Bank, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish a wetlands mitigation bank.

**APPLICANT:** James Parker, Clearwater Mitigation VI, LLC, applicant and property owner.

**LOCATION:** The subject property is located at 2101 Buckhorn Drive and consists of four contiguous parcels located within the City of Suffolk and Isle of Wight County. The subject property is further identified as Zoning Map 30, Parcel 14 in Suffolk and as Property IDs 67-01-013, 67-01-016, and 67-01-018 in Isle of Wight County.

**PRESENT ZONING:** The portion of the subject property within the City of Suffolk's jurisdictional boundary is currently zoned A, Agricultural zoning district, and encompasses approximately 212 acres.

**EXISTING LAND USE:** The subject property is currently silviculture land and operates as a Loblolly Pine farm.

**PROPOSED LAND USE:** The applicant proposes to rehabilitate degraded wetlands to establish a wetlands mitigation bank to provide mitigation credits for future development within two local watersheds.

#### **SURROUNDING LAND USES:**

- North: Undeveloped agricultural and forested land, with abandoned railroad right-of-way and single-family dwellings beyond, zoned A, Agriculture zoning district within the City of Suffolk, and zoned RAC, Rural Agricultural Conservation zoning district within Isle of Wight County.
- South: Undeveloped agricultural and forested land zoned A, Agriculture zoning district.
- East: Forested land and Buckhorn Drive, with cropland and scattered single-family dwellings beyond zoned A, Agriculture zoning district.
- West: Undeveloped forested land, zoned A, Agricultural zoning district, with cropland, and scattered single-family dwellings beyond, zoned RAC, Rural Agricultural Conservation zoning district within Isle of Wight.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as outside of the growth area, Rural Agriculture Land Use Type.

**CHESAPEAKE BAY PRESERVATION AREA DESIGNATION:** The majority of the property is located within the City's Chesapeake Bay Preservation Area Overlay District (CBPA)

and is designated as a Resource Management Area (RMA).

**FLOOD PLAIN:** The property lies within Flood Zone X, as shown on Panel No. 5101560185D, dated August 3, 2015, of the Flood Insurance Rate Map (FIRM) for the City of Suffolk, Virginia.

**HISTORY:** The subject property has historically been logged under silviculture operations as a loblolly pine farm.

**ISSUE:**

The applicant proposes to restore and rehabilitate approximately 212.25 acres of wetlands within the City of Suffolk to establish a wetlands mitigation bank. When wetland impacts are unavoidable in order to develop a project, the impacts are required to be mitigated by the Virginia Department of Environmental Quality (DEQ) and U.S. Army Corps of Engineers (USACE). A common method of mitigating wetland impacts is through the purchase of credits from a wetlands mitigation bank within the same watershed as the development.

The Myrtle Mitigation Bank comprises two projects further identified as the “Mitigation Bank,” containing approximately 204.3 acres, and the “Ecological Restoration Project,” containing approximately 7.9 acres. The work and goals for each project are consistent to (i) restore wetland functions and values and (ii) permanently protect restored natural resources through a conservation easement. The primary difference between the two projects is that the larger Mitigation Bank will provide compensatory wetland mitigation credits available for purchase, while the smaller Ecological Restoration Project will provide wetland mitigation credit to a singular customer/project. Both projects are functionally the same in being restored and offered for mitigation credit and are thus both defined as “wetland mitigation banks” within the Unified Development Ordinance. Both projects are also subject to similar USACE and DEQ oversight and permitting.

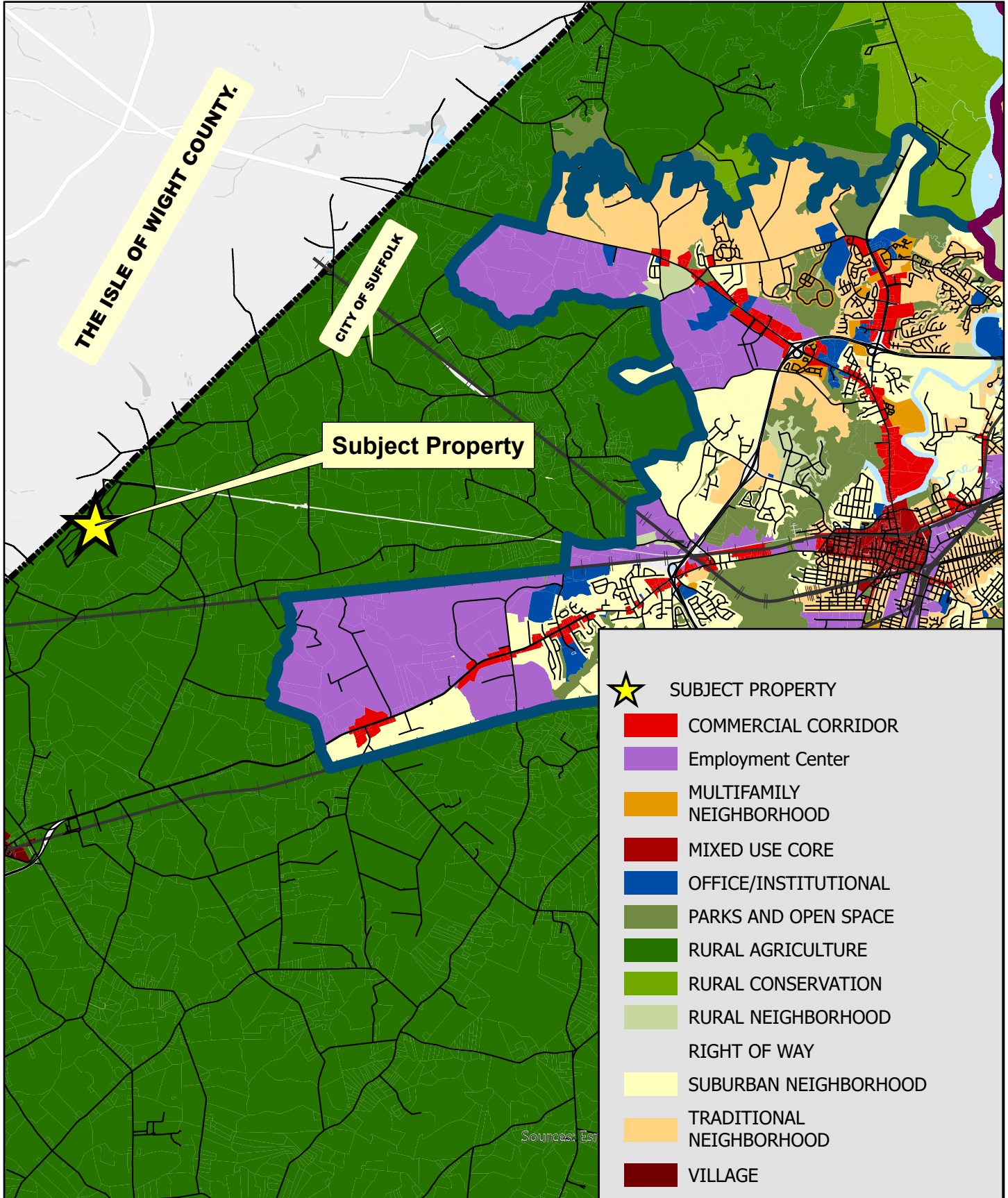
In addition to crossing jurisdictional boundaries between the City of Suffolk and Isle of Wight County, the project also spans across two watersheds, identified by their Hydrologic Unit Code (HUC). The majority of the site drains eastward towards Cohoon Creek and the Nansemond River within the Lower James River watershed, HUC 02080208. The balance of the property drains southwest towards Corrowaugh Creek and the Blackwater River within the Chowan River watershed, HUC 03010202. The mitigation bank would provide wetland impact credits to both watersheds.

The current and historic operations of the property as a loblolly pine farm have resulted in the drainage of wetlands, loss of native habitat, and the introduction of non-point source pollution. The natural wetlands and associated buffers present on the site would need to be restored to establish the site as a wetlands mitigation bank. Restoration activities will consist of removing and/or plugging of ditches, targeted grading of linear planting beds, planting diverse native wetland vegetation, and recreating habitats typical for native fauna.

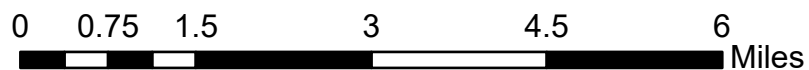


# GENERAL LOCATION MAP

## CUP2026-00004



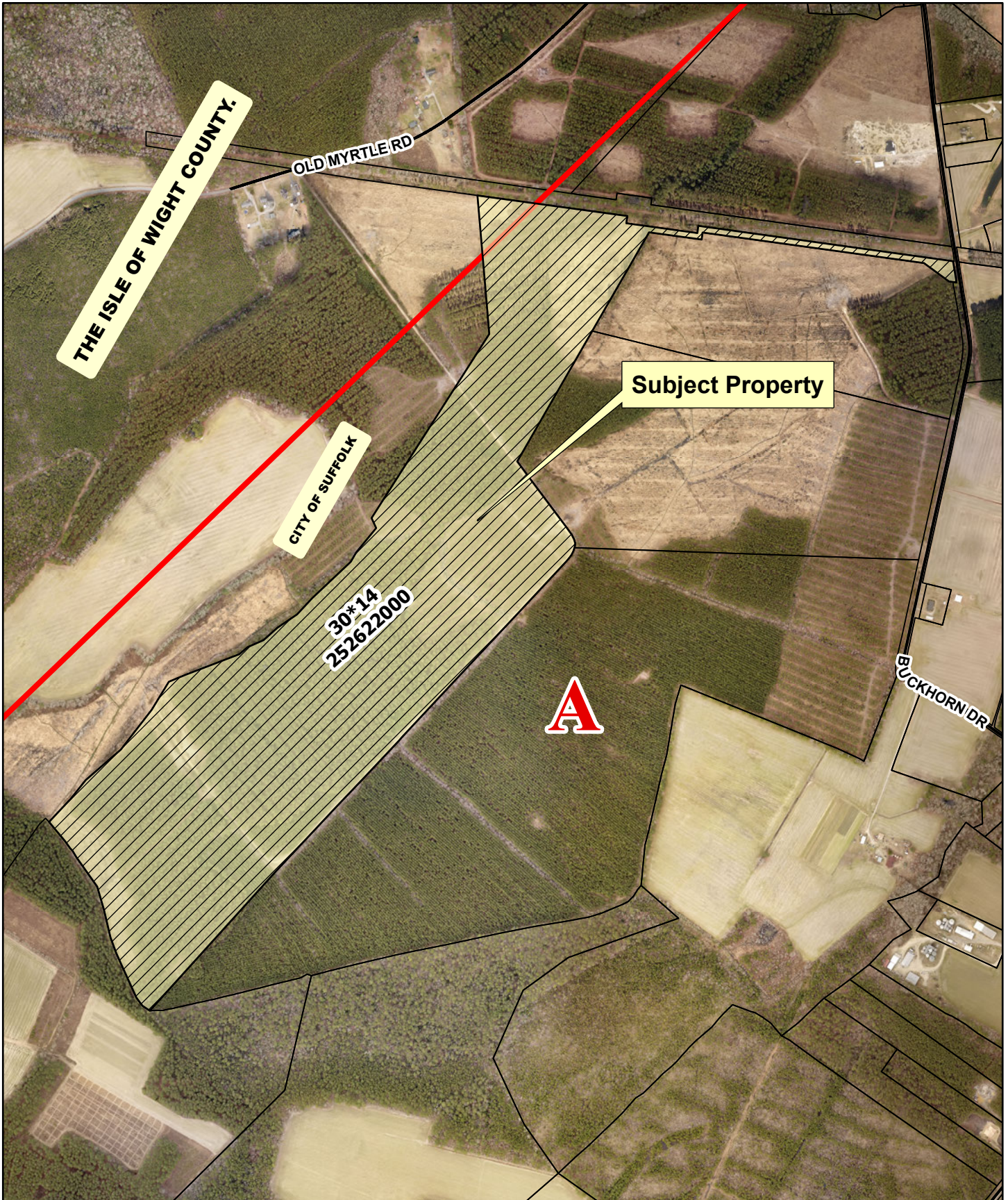
Author: KOSSAI  
Date: 02-04-2026





# ZONING / LAND USE MAP

## CUP2026-00004



Author: KOSSAI  
Date: 02-04-2026

0 360 720 1,440 2,160 2,880  
Feet

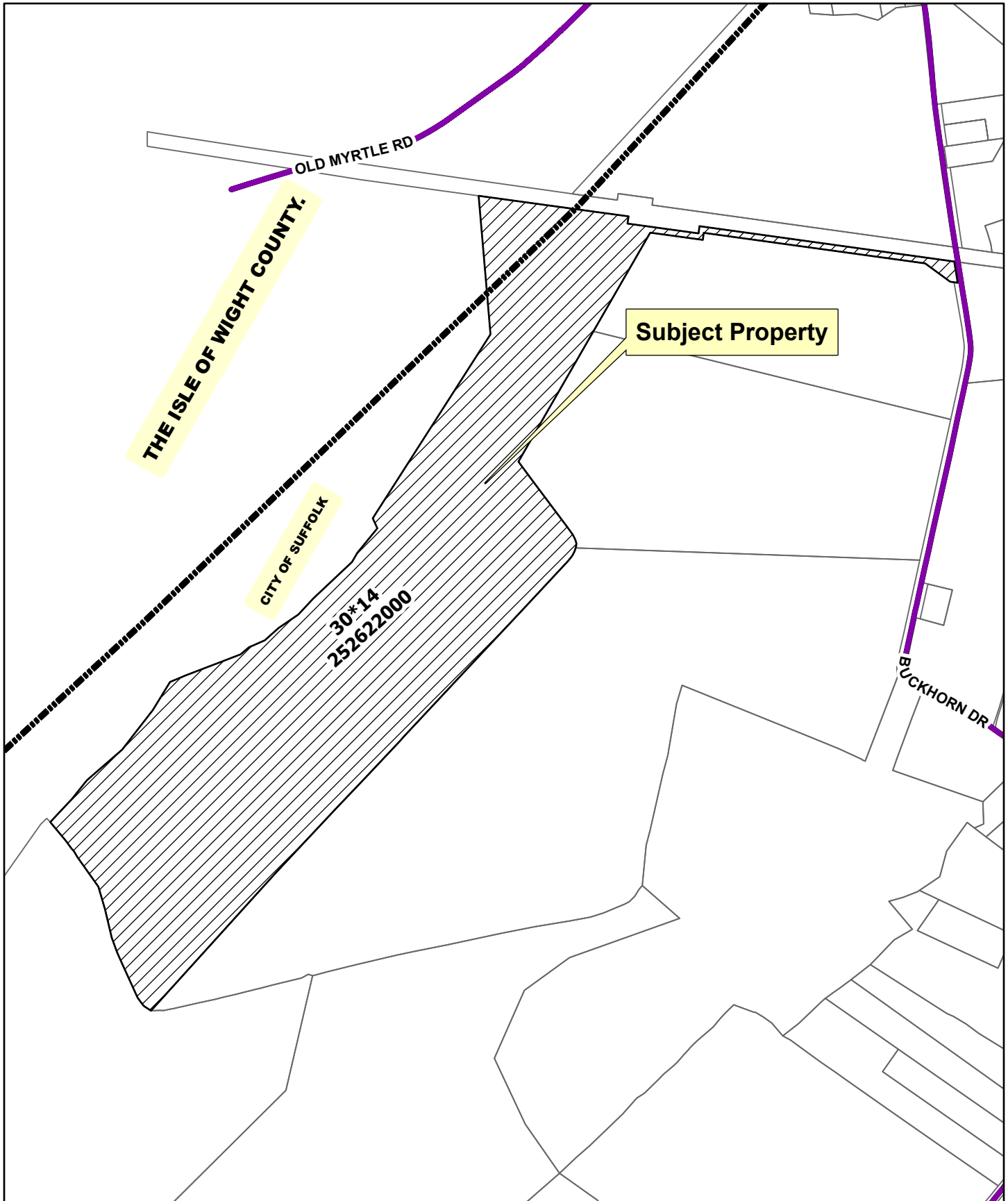
Image: Suffolk Pictometry 2024



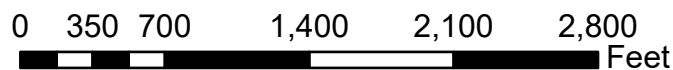


# PROPERTY MAP CUP2026-00004

EXHIBIT B



Author: KOSSAI  
Date: 02-04-2026





# Myrtle Mitigation Bank and Ecological Restoration Project Project Narrative

*Updated April 30, 2026*

## **Introduction**

The landowner proposes to establish, design, construct, and operate an ecological restoration project under a single Nationwide Permit 27 authorization. This overall project is subject to the City of Suffolk CUP 2026-004 and consists of two separate project efforts, the “Myrtle Mitigation Bank” and the “Ecological Restoration Project.” The work and project outcomes for both the “Myrtle Mitigation Bank” and the “Ecological Restoration Project” are consistent throughout: i) restore wetland function and values, including hydrology, vegetation and soils, by removing all existing pine plantation management practices and ii) permanently protect aquatic resources and buffers under a conservation easement.

1. **Overall Project:** The overall project is a combination of both the “Myrtle Mitigation Bank” and the “Ecological Restoration Project” and is approximately 264.42 acres, of which 256.5 acres are associated with the “Myrtle Mitigation Bank” and 7.92 acres are associated with the “Ecological Restoration Project.” The overall project spans across four parcels in Isle of Wight County and the City of Suffolk, Virginia.

Within the total project area, approximately 212.255 acres are within the City of Suffolk and subject to the CUP, of which 204.331 acres associated with the “Myrtle Mitigation Bank” and 7.92 acres associated with the “Ecological Restoration Project.” Reference the site statistical table on *Page 1* of Exhibit B – Design Plans for a detailed breakdown of the overall site area.

As mentioned previously, the project is comprised of two separate entitlement efforts. A summary of each effort is described below, and a map showing the limits of the project across the property is included as Exhibit A – CUP Map.

- a) **Myrtle Mitigation Bank:** Most of the project area is being entitled as a compensatory wetland mitigation bank known as the Myrtle Mitigation Bank (“Myrtle”, or “the Bank”) which is comprised of approximately 256.5 acres across all four parcels, within both Isle of Wight County and the City of Suffolk. Within this area, approximately 204.331 acres are subject to the City of Suffolk CUP.

Reference the site statistical table on *Page 2* of Exhibit B – Design Plans for a detailed breakdown of the Myrtle Mitigation Bank site area. *Pages 2 through 66* of Exhibit B – Design Plans are relevant to Myrtle Mitigation Bank only. Additionally, refer to Exhibit A-2 – Myrtle Mitigation Bank Development Plan which provides a visual overview of the project work on an aerial map.

- b) Ecological Restoration Project** (potential PRM): The remaining portion of the overall project is an area comprised of approximately 7.92 acres which is entirely within a single parcel in the City of Suffolk and subject to the CUP. This portion of the restoration effort will involve the same restoration activities, maintenance, monitoring, and long-term protections, but may be developed as either a “Permittee-Responsible Mitigation” site (“PRM”) or a second phase of the Myrtle Mitigation Bank. Like mitigation banks, PRMs are similarly subject to USACE and DEQ oversight, but the mitigation benefit is generated for a single customer/project, whereas a mitigation bank generates credits that may be sold to satisfy the compensatory mitigation needs of multiple permitted projects. While the distinction is relevant from a regulatory/crediting standpoint, the actual use, site conditions, and outcomes would be consistent across the property.

Reference the site statistical table on *Page 67* of Exhibit B – Design Plans for a detailed breakdown of the Ecological Restoration Project site area. *Pages 67 through 83* of Exhibit B are relevant to the Ecological Restoration Project only. Additionally, refer to Exhibit A-3 – Ecological Restoration Project Development Plan for a visual overview of the project work on an aerial map.

## **Project Summary**

Both portions of the overall project will generate high-quality wetland mitigation credits from the restoration, rehabilitation, and permanent protection of wetlands and associated buffers within a strategically located watershed divide in southeastern Virginia.

### ***Location***

The project is located off Old Myrtle Road (36.738618°, -76.760369°) and the subject parcels span the boundary between Isle of Wight County and the City of Suffolk as well as spanning across a geographic watershed divide, with the majority of the site draining eastward to Cohoon Creek and the Nansemond River, tributaries of the Lower James River watershed (HUC 02080208). The remaining portions of the property drain south and west to Corrowaugh Creek and the Blackwater River, tributaries of the Chowan River watershed (HUC 03010202).

### ***Baseline Conditions***

Current and historic land use practices on the property consist primarily of managed loblolly pine plantation silviculture which substantially altered and degraded on-site aquatic resources, functions, and values. These practices have resulted in the drainage of wetlands, loss of native habitat, and the introduction of non-point source pollution, thereby diminishing the site’s natural hydrologic and ecological functions.

The proposed wetland rehabilitation and restoration activities will reverse these impacts and convert the existing pine plantation into a high-functioning, diverse non-tidal forested wetland complex.

### ***Summary of Proposed Work***

Within the Myrtle Mitigation Bank, the landowner proposes to restore and rehabilitate approximately 245.56 acres of degraded wetlands (228.27 acres of wetland and 17.29 acres of

wetland buffer), while preserving an additional 1.84 acres of existing wetlands and 4.73 acres of upland buffer. Within the Ecological Restoration Project/potential PRM area, the landowner proposes to restore and rehabilitate approximately 7.92 acres of degraded wetlands (6.07 acres of wetland and 1.85 acres of wetland buffer).

Restoration activities will focus on reestablishing natural hydrology, soil conditions, and native vegetation communities. Hydrologic restoration will be achieved through the removal and/or plugging of active ditch networks to restore natural surface and subsurface water flows and increase the duration and extent of soil saturation. Existing planting beds and furrows will be intersected and/or removed to reduce artificial drainage and promote increased dispersion and infiltration of surface waters.

Targeted grading activities will restore site topography and enhance wetland hydrologic function. These actions include grading excessive mounding and interior upland areas to approximate original ground elevations, as well as grading depressional features to facilitate surface water retention. Vegetative restoration will involve the reestablishment of diverse native woody and herbaceous wetland species appropriate for anticipated hydrologic and soil conditions.

Complete Design Plans are included for review, including grading details, erosion and sediment control measures, construction details, and planting schedules.

### ***Permitting Requirements***

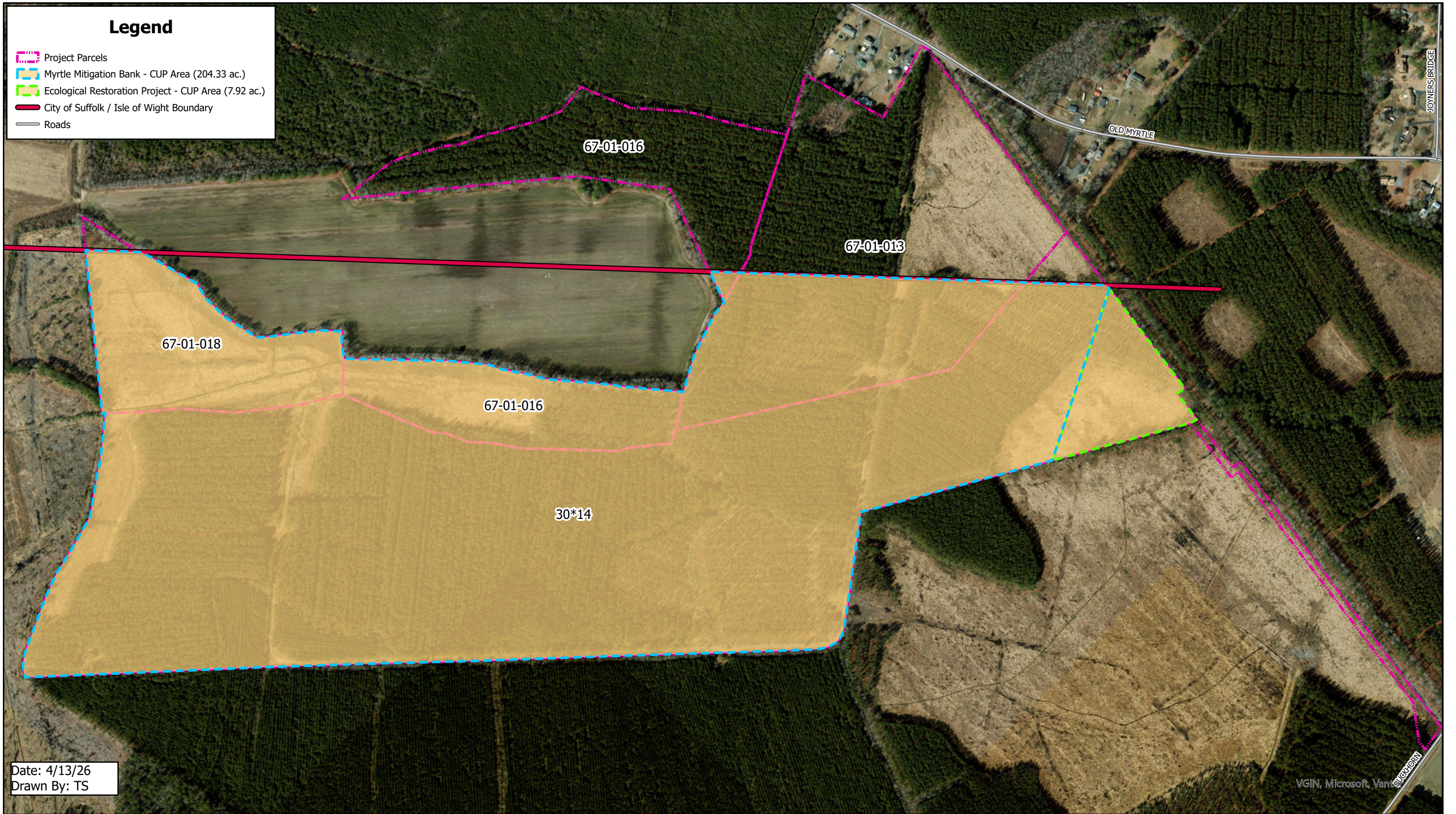
Upon approval of the requested Conditional Use Permit, the Applicant will pursue the requisite Site Plan reviews for land disturbance/E&S permits for the portions within Suffolk and Isle of Wight, respectively, and coordinate accordingly with each jurisdiction. With respect to stormwater requirements, our proposed work is limited to ecological restoration which will improve water quality (i.e. no traditional development and does not generate increased runoff). Based on DEQ guidance (Memo dated 9/9/2025 *Re: Permitting for Surface Water Restoration and Reforestation*, included as Exhibit D, this type of project is exempt from VSMP stormwater requirements.

### ***Expected Outcomes***

Upon implementation, the proposed restoration and preservation activities will reestablish the site's ability to trap sediment, filter pollutants, and provide high-quality wildlife habitat, resulting in measurable improvements to water quality and ecological function within both the James River and Chowan River watersheds. The Myrtle Mitigation Bank and Ecological Restoration Project / potential PRM area will provide long-term, sustainable compensatory mitigation benefits while supporting watershed-level restoration and conservation objectives and will be permanently protected under a conservation easement.

**Legend**

- Project Parcels
- Myrtle Mitigation Bank - CUP Area (204.33 ac.)
- Ecological Restoration Project - CUP Area (7.92 ac.)
- City of Suffolk / Isle of Wight Boundary
- Roads



Date: 4/13/26  
Drawn By: TS

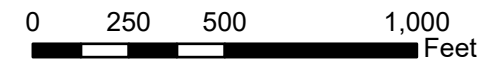
VGIN, Microsoft, Vantix



**MYRTLE MITIGATION BANK & ECOLOGICAL RESTORATION PROJECT**

Lat: 36.738618°  
Long: -76.760369°

**CUP Project Area Map**



**AGENDA: May 20, 2026, Regular Session**

**ITEM: Motion** - A motion to receive a report regarding the fiscal impact of removing the moratorium on tax exemptions for nonprofit organizations

At City Council's May 6, 2026, Regular Session, Council moved for a motion to be placed on the May 20, 2026, Regular Session Agenda, regarding receiving a report on the fiscal impact of removing the moratorium on tax exemptions for nonprofit organizations.

## **Non-Agenda Speakers**

# **New Business**

# **Announcements and Comments**