Agenda Item 7

Applicants & Property Owners: BH Cypress Point MF Development, LLC
Planning Commission Public Hearing: June 11, 2025
City Council District: District 9 (Schulman)

Project Details

Request

Conditional Rezoning (B-2 Community Business District to Conditional B-4 Mixed Use District)

Staff Recommendation

Approval

Staff Planner

Michael Hayes

Location

928 Diamond Springs Road & 1025 Heatherwood Drive

GPINs

1468453483, 1468552330

Site Size

13.2 acres

AICUZ

Less than 65 dB DNL

Watershed

Chesapeake Bay

Existing Land Use and Zoning District

Shopping Center/ B-2 Community Business

Surrounding Land Uses and Zoning Districts

North

Retail, city park, single-family dwellings / B-2 Community Business, R-10 Residential

South

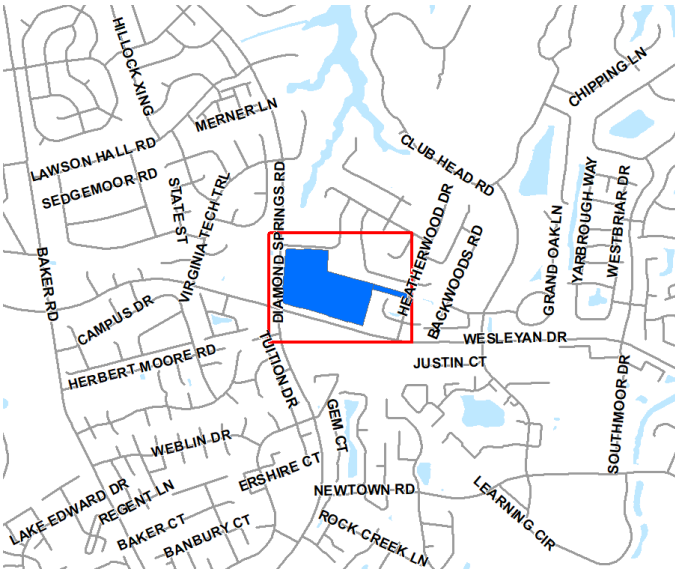
Wesleyan Drive
Shopping center/ B-2 Community Business

East

Townhouses / A-12 Apartment

West

Diamond Springs Road
Nursing Home, restaurant / O-1 Office, B-2 Community Business





Background & Summary of Proposal

- The applicant is seeking to rezone two parcels totaling 13.2 acres from B-2 Community Business District to Conditional B-4 Mixed Use Business District to redevelop the Cypress Point Shopping Center into a mixed-use development.

- The intended redevelopment includes a combination of multifamily apartments, townhouses, a new commercial office building, and retention of approximately 20,700 square feet of the existing strip shopping center, located in the northeastern corner of the property.

- The proposed 3-story commercial/office building will contain approximately 26,700 square feet of floor area with a maximum height of 52 feet.

- The proposed residential uses and supporting parking constitute the bulk of the redevelopment. As noted in Proffer 7, the total number of residential units would not exceed 365. The resulting density will be 27.7 units per acre.

- All buildings, including the existing commercial building, are proposed to be faced in a combination of brick veneer, vinyl lap siding, and vinyl shake siding. Additionally, each building would feature architectural shingles with standing seam metal roof accents.

- As shown on the proffered elevations, the majority of the multi-family apartment buildings will be four stories, with one corner of each building extending up to a fifth story. The maximum building height for each of the multi-family buildings is 70 feet. There is no maximum building height within the B-4 Mixed Use District, except for portions of the property located within 100 feet of a residential or apartment district. Since the multi-family buildings are located more than 100 feet from the adjacent residential districts, a maximum building height is not applicable.

- Amenities in the apartment buildings include a pool with sundeck, meditation courtyard, grilling stations, fitness center, clubroom, mail center with package room, and multiple outdoor lounge areas. The applicant has proffered that, for a period of ten (10) years, seven percent (7%) of the multifamily units would be identified as attainable housing units, available only to those households with an annual income not to exceed 100% of Area Median Income for the Virginia Beach-Norfolk-Newport News region as determined by the U.S. Department of Housing and Urban Development.

- The three-story townhouse units have a proposed maximum building height of 40 feet, exceeding the maximum height of 35 feet when within 100 feet of a residential district established by Section 904(b) of the Zoning Ordinance. As such, the applicant is seeking a deviation from this restriction under the provisions of Section 107(i) of the Zoning Ordinance to allow the proposed height of 40 feet. A total of 22 townhouse units are proposed, each of which will have an attached two-car garage.

- The applicant is also requesting a deviation to the 75% maximum lot coverage within the B-4 Mixed-Use District to permit a lot coverage of 80.2%. While the proposed lot coverage is 5.2% above what is permitted by the ordinance, the proposed development does reflect a 6.1% reduction in impervious cover from what exists presently.

- The proffered concept plan includes 676 parking spaces, 190 spaces less than the 866 spaces required by Section 203(a) of the Zoning Ordinance. In accordance with Section 203(b)(11) a parking study was submitted to the Zoning Administrator, who approved of the reduction based on the Institute of Transportation Engineers Parking Demand tables, which calculates that the peak demand for all uses proposed on the site is 672 parking spaces, and that peak demand for the proposed uses does not occur simultaneously, which leads to the greatest demand being from 6:00PM?-7:00PM as 600 spaces are expected to be in demand; therefore the prosed 676 parking spaces adequately meets the estimated demand from the study of the site. A copy of the Parking Study Determination Letter is included on pages 25-27 of this report.

- The applicant is proposing pedestrian access improvements to include the addition of approximately 510 feet of sidewalk along Fallbrook Bend, along with stamped concrete crosswalk connections to the sidewalks along Diamond Springs Road and Wesleyan Drive, as well as between the residential and commercial sides of the development. Additionally, as seen on the proffered plan, the applicant is proposing direct connection between the proposed development and the adjacent Cypress Point North Park.

- The proffered landscape plan includes the required 15-foot, Category IV landscape buffer adjacent to the residential districts to the north and east as well as the required foundation and street frontage landscaping. To satisfy some of the landscaping required, the applicant is proposing to retain the mature trees along Diamond Springs Road and Wesleyan Drive as well as along the rear of the property.

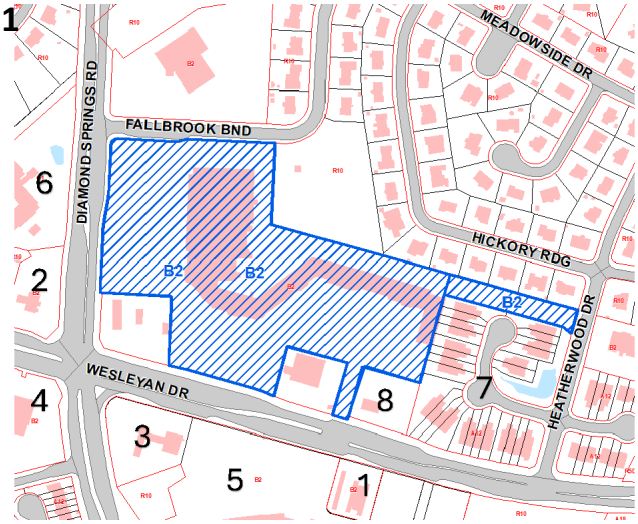
- While the applicant is not proposing any new signage immediately, they are requesting to reserve the ability to add a freestanding sign in the future at the Heatherwood Drive entrance. The sign would be a monument style sign, no taller than 8 feet, and finished in materials compatible with those used in the proffered building elevations.

- A Phase I Environmental Site Assessment (ESA) was prepared by Nova Group, dated April 29, 2024. The Phase I Environmental Site Assessment found no evidence of Recognized Environmental Conditions (REC) or Controlled Recognized Environmental Conditions (CRECs) connected with the property. It is the opinion of Nova Group, that no further action is needed, including remediation or further study.

Zoning History

Map Key No.	Request
1	**CUP** (Car Wash) Approved 11/14/2023
2	**CUP** (Child Day Care) Approved 07/03/2012 **CRZ** From B1A to Conditional B-2 03/14/2000
3	**CUP** (Automobile Service Station) w/Convenience Store 03/07/2000
4	**CRZ** From R-10 and O-1 to Conditional B-2 10/26/1999
5	**CRZ** From R-10 to Conditional B-2 01/26/1999
6	**CUP** (Housing for Seniors & Disabled) 06/23/1998
7	**CRZ** From B-2 to Conditional A-12 06/27/1995
8	**CUP** (Automobile Service Station) 05/24/1994

CUP: Conditional Use Permit
REZ: Rezoning



Application Types

CRZ: Conditional Rezoning
MDC: Modification of Conditions
MDP: Modification of Proffers
NON: Nonconforming Use
STC: Street Closure
FVR: Floodplain Variance
ALT: Alternative Compliance
SVR: Subdivision Variance
LUP: Land Use Plan
STR: Short Term Rental

Evaluation & Recommendation

The proposal to conditionally rezone and redevelop the Cypress Point Shopping Center into a mixed-use development, in Staff's opinion, is acceptable.

The shopping center falls within the Suburban Area, the guiding principles for which recognize this transformation as part of a maturing city, offering new types of land use and lifestyle choices. In describing what makes great neighborhoods, the Comprehensive Plan recognizes that residential and commercial land uses are dependent upon each other. Reinvestment and redevelopment in aging commercial centers is critical in assuring continued reinvestment and quality of the residential communities of which they are a part. Along with that, pedestrian and bicycle connections between residential areas and commercial development should be improved to provide comfortable alternatives to automobile travel.

The purpose of rezoning the property to B-4 is to redevelop a significant portion of the property with apartments and townhouses, totaling no more than 365 units. For a period of ten years, 7% of the multifamily units would be reserved as attainable residential units for households with an income equal to or less than 100% of area median income for the region. The apartment buildings would have a number of amenities within the building footprint, including a pool and clubhouse. The commercial development would be consolidated on the east side of the property, retaining approximately 20,700 feet of the existing strip center and constructing a new three-story 26,700 square foot commercial/office building. New exterior finishes, similar to those of the new buildings, will be installed on the existing building that is proposed to remain to provide a cohesive look to the development.

In addition to the buildings, the applicant proposes improving pedestrian connections, including installing a sidewalk on Fallbrook Bend and stamped concrete walkways connecting the residential buildings to the sidewalks at the street and to the commercial side of the development. Per the recommendation of the Active Transportation Plan, the applicant explored widening the sidewalks along Diamond Springs Road and Wesleyan Drive, which, at approximately 8 feet in width, are on the narrower side of the City's "sidepath" definition which recommends a width 8 to 12 feet. Widening the sidewalks would require the removal of the mature trees currently bordering the right-of-way and providing shade to the sidewalk. Due to the environmental and aesthetic valued added by the mature trees, it is staff's opinion that retaining the mature trees while maintaining a sidewalk of approximately 8 feet in width is acceptable.

Through the proffers, the applicant requests to increase the permitted lot coverage for buildings and parking to 80%, exceeding the 75% maximum established in the Zoning Ordinance. While additional green space would be preferred in the design of this site, the proposed concept plan reduces the amount of impervious surface by approximately 0.8 of an acre from what exists today and as such staff is amenable to the requested deviation.

Information provided by the Virginia Beach City Public Schools Staff indicates that the anticipated number of students with the added residential development will be within an acceptable threshold for increases in student population.

According to the applicant, stormwater requirements will be met by utilizing underground storage. Final design and details of the stormwater system will be completed during site plan submittal to ensure compliance with all applicable stormwater regulations.

Overall, the proposed mixed-use development would breathe new life into a shopping center that has faced significant vacancies in recent years, including losing its anchor grocery store. The City of Virginia Beach is also in need of additional housing units, including attainable units. The attainable units will be interspersed with the market rate units and be maintained as attainable units for at least 10 years. In its design, the development remains suburban in nature while making pedestrian connections throughout the site, providing various amenities for the residential units, and connections to the surrounding streets and adjacent neighborhood park. Based on considerations described, Staff recommends approval of the rezoning application with the proffers listed below.

Proffers

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

Proffer 1

When developed, the improvements on the Property shall be developed in substantial conformity with the conceptual site plan entitled "Conceptual Development Plan Cypress Point Virginia Beach, Virginia", dated February 27, 2025, and prepared by AES Consulting Engineers (the "Concept Plan"), a copy of which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning and is incorporated herein by reference.

Proffer 2

When developed, the landscaping on the Property shall be developed in substantial conformity with the conceptual landscape plan entitled "Conceptual Landscape Plan Cypress Point Virginia Beach, Virginia", dated February 27, 2025, and prepared by AES Consulting Engineers (the "Conceptual Landscape Plan"), a copy of which has been exhibited to the Virginia Beach City Council and is on file with the Virginia Beach Department of Planning and is incorporated herein by reference.

Proffer 3

The quality of architectural design and materials of the residential buildings constructed on the Property, when developed, shall be in substantial conformity with sheets 01-03 of the exhibit entitled "Concept Elevations", dated February 28, 2025, and prepared by Housing Studio (the "Conceptual Elevations"), a copy of which has been exhibited to the Virginia Beach City Council and is on file with the Department of Planning and is incorporated herein by reference.

Proffer 4

The quality of architectural design and materials of the commercial buildings constructed on the Property, when developed, shall be in substantial conformity with sheets 04-05 of the Conceptual Elevation.

Proffer 5

Buildings on the Property that are located within one hundred feet (100') of residentially zoned adjacent parcel(s) will be permitted to be up to forty feet (40') in height, in lieu of the thirty-five feet (35') otherwise permitted under Section 904(b) of the Zoning Ordinance.

Proffer 6

The maximum lot coverage by buildings and parking on the Property, excluding recreational buildings and surfaces, will be eighty percent (80%) in lieu of the seventy-five percent (75%) otherwise permitted under Section 902(e)(7) of the Zoning Ordinance.

Proffer 7

The number of multifamily residential units located on the Property, when developed, shall not exceed a total of three hundred sixty-five (365), of which, up to three-hundred forty-three (343) may be multifamily residential units. For a period of ten (10) years from and after the date of issuance of the first certificate of occupancy for a multifamily residential unit on the Property, seven percent (7%) of the total number of multifamily residential units developed on the Property will be allocated as "attainable housing units". The attainable housing units shall be integrated into the development to the same extent as other dwelling units and shall not be clustered in discrete locations separate from other dwelling units. The construction of attainable housing units shall reasonably coincide with that of other dwelling units. The attainable housing units shall be reserved for households with annual incomes not to exceed one hundred percent (100%) of Area Median Income for the Virginia Beach-Norfolk-Newport News, VA-NC HUD Metro FMR Area, as determined by the United States Department of Housing and Urban Development ("AMI"), adjust for family size. The property owner or manager shall, upon written request of the Director of the City Department of Housing & Neighborhood Preservation, or his/her designee, provide a copy of the most current tenant selection policy or criteria applicable to the attainable housing units.

Proffer 8

Any new freestanding signs located on the Property (in addition to the two (2) existing freestanding signs) will be monument style, no larger than eight feet (8') in height, and will be constructed of materials compatible with those used for the buildings located on the Property.

Proffer 9

The following pedestrian connections located within the parking area/drive-aisles on the Property (substantially as shown on the Concept Plan) shall consist of at-grade colored or stamped concrete: (a)cross-walks between the multifamily residential buildings developed on the Property and the existing sidewalks located within the surrounding Wesleyan Drive, Diamond Springs Road, and Fallbrook Bend public rights-of-way, and (b)cross-walk between the commercial/office uses located on the Property and the easternmost multifamily residential building located on the Property.

Proffer 10

Further conditions lawfully imposed by applicable development ordinances may be required by the Grantee during detailed site plan and/or subdivision review and administration of applicable City Codes by all cognizant City agencies and departments to meet all applicable City Code requirements.

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

Comprehensive Plan Information

The Comprehensive Plan identifies this site as being located within the Suburban Area. The general planning principles for the Suburban Area focus on creating and maintaining great neighborhoods through stability and sustainability. (p. 1-60) This includes supporting reinvestment in aging commercial centers, which serve and have an effect on the surrounding residential communities. As new development occurs in these commercial areas, enhancements should be made to accommodate more comfortable access for cyclists and pedestrians. (p. 1-63)

The Reference Handbook of the Comprehensive Plan provides several recommendations relative to this development in the Suburban Area. Parking lots should be located behind buildings and that larger parking lots should be broken up to avoid a continuous "sea of parking". (p. B-6-7) The Handbook also guides developers to provide pedestrian access ways between residential and commercial development. (B-6) As is reasonable, existing trees and ground cover should be preserved and integrated into the site design, especially in highly visible areas. (p.B-7)

Natural & Cultural Resources Impacts

The site is located in the Chesapeake Bay watershed.

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

Traffic Impacts/Transportation

Traffic Counts

Street Name	Present Volume	Present Capacity	Generated Traffic
Wesleyan Drive	17,700 ADT[1]	32,700 ADT[1] (LOS[4] "D")	Existing Land Use [2] – 11,207 ADT
Diamond Springs Road	19,900 ADT[1]	32,700 ADT[1] (LOS[4] "D")	Proposed Land Use [3] – 4,661 ADT

[1] Average Daily Trips

[2]As defined by a 118,600 SF Shopping Center, 17,800 SF Office Space, 3,600 SF Restaurant, 343 Multi-family Units, and 22 Townhouses

[3]As defined by a 29,600 SF Assisted Living Facility

[4]LOS = Level of Service

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

Diamon Springs Road in the vicinity of this application is considered a four-lane divided minor urban arterial. The Master Transportation Plan calls for a bikeway to be added within 150 feet of Diamond Springs Road. No Capital Improvement Program projects are sladed for this area.

Wesleyan Drive in the vicinity of this application is considered a four-lane divided minor suburban arterial facility and no improvements are proposed to Wesleyan Drive. No Capital Improvement Program projects are slated for this area.

Active Transportation Plan

The Active Transportation Plan recognizes Diamond Springs Road and Wesleyan Drive as having sidepaths, which range from eight feet (8') to twelve feet (12').

Public Utility Impacts

Water

The site currently connects to city water. There are several meters for the site that can be used or upgraded. One master domestic water meter will be required for the residential units and one master domestic water meter for the commercial units.

Sewer

The site currently connects to city sewer. Sewer analysis and pump station capacity for pump station #329 will be reviewed during the site plan submission process to determine if future flows can be accommodated.

School Impacts

School	Current Enrollment	Capacity	Generation [1]	Change [2]
Luxford Elementary	470 students	472 students	43 students	43 students
Bayside Middle	918 students	979 students	17 students	17 students
Bayside High	1,902 students	2,039 students	21 students	21 students

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

[2] "change" represents the difference between the number of potential or actual students generated under the existing zoning and the number generated under the proposed zoning. The number can be positive (additional students) or negative (fewer students).

Public Outreach Information

Planning Commission

- The applicant's agent attests that the applicant met with the following organizations to discuss the potential development prior to submitting this application:

    - Cypress Point North
    - Virginia Beach NAACP
    - Virginia Beach Council of Civic Organizations
    - Lake Smith Terrace
    - Campus East Community Association
    - Haygood Point
    - Governor Square Civic League
    - Ridgely Manor Condo Association
    - Traditions at Cypress Point

- As required by the Zoning Ordinance, the public notice sign(s) was placed on the property on May 12, 2025.

- As required by State Code, this item was advertised in the Virginian-Pilot on Wednesdays, May 28, 2025 and June 4, 2025.

- As required by City Code, the adjacent property owners were notified regarding the request and the date of the Planning Commission public hearing on May 27, 2025.

- This Staff report, as well as all reports for this Planning Commission's meeting, was posted on the Commission's webpage of virginiabeach.gov/pc on June 5, 2025.

Proposed Concept Plan



Proposed Landscape Plan



CONCEPTUAL LANDSCAPE PLAN

CYPRESS POINT

VIRGINIA BEACH, VIRGINIA

Boyd HOMES

AES CONSULTING ENGINEERS

DATE: FEBRUARY 27, 2025 REVISED: MAY 01, 2025

SCALE: 1"=80'

SHEET MP-02

Proposed Building Elevations

Proposed Building Elevations

Proposed Building Elevations

Proposed Building Elevations

Proposed Building Elevations

Site Photos





Site Photos



CITY OF VIRGINIA BEACH

Disclosure Statement

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

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:
as listed on application BH CYPRESS POINT MF DEVELOPMENT

Is Applicant also the Owner of the subject property? Yes (•) No ( )

If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes (•) No ( )

If yes, name Representative: Robert P. Beaman, III, Esq. - Troutman Pepper Locke LLP

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes (•) No ( )

If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary [1] or affiliated business entity [2] relationship with the applicant. (Attach list if necessary.)

See attached list.

Does the subject property have a proposed or pending purchaser? Yes ( ) No (•)

If yes, name proposed or pending purchaser: _____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Virginia Beach have an interest in the subject land or any proposed development contingent on the subject public action? Yes ( ) No (•)

If yes, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

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

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	( )	(•)	
Real Estate Broker/Agent/Realtor	( )	(•)	

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Accounting/Tax Return Preparation	○	◉	
Architect/Designer/Landscape Architect/Land Planner	◉	○	Housing Studio
Construction Contractor	○	◉	
Engineer/Surveyor/Agent	◉	○	AES Consulting Engineers
Legal Services	◉	○	Troutman Pepper Locke

APPLICANT CERTIFICATION

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

BY CYPRESS POINT MF DEVELOPMENT LLC
BY BOYD CORPORATION, ITS MANAGER

BY Justin R Boyd _____ 5/28/2025

Applicant Name (Print) | Applicant Signature | Date

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

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

FOR CITY USE ONLY:

No changes as of (date): _____

Staff Name (Print) | Staff Signature | Date

Disclosure Statement

Applicant

BH Cypress Point MF Development, LLC, a Delaware limited liability company

Manager: Boyd Corporation

Member: Boyd IIoldings, LLC

Affiliated Entities

Boyd Holdings, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Joseph W. Boyd, Jr. Revocable Trust (Joseph W. Boyd, Jr. as Trustee)

Boyd Corporation, a Virginia corporation

Principals: Joseph W. Boyd, Jr., Chairman; Justin R. Boyd, President; Joseph W. Boyd, III, President; Kathryn P. Fitzpatrick, President; Frank B. Minschke, II, Sec/Treas/CFO; Christopher J. Villa, EVP/Asst. Sec/Asst. Treas; Eason A. Park, VP Construction; Kenneth S. Merner, VP Engineering

Swift Creek Townhomes, LLC, a Delaware limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Horizon Investment Co., LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Point of Rocks Landing, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Newtown Square Associates, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Swift Creek Development, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Rolling Ridge, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Ross Run, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Barterbrook Investment Co., LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Rivermont Development Co., LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

BH Marcella at Gateway, LLC, a Delaware limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Element at Stonebridge, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Boyd Community Management, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

BH Camden Lakes Investments, LLC, a North Carolina limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

BRD Glenwood Development, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Boyd Holdings, LLC

Disclosure Statement

Cypress Investment Spec, LLC, a Virginia limited liability company

Manager: Justin R. Boyd and Joseph W. Boyd, III

Member: BNH Investments, LLC

BNH Investments, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Justin R. Boyd and Joseph W. Boyd, III

Boyd New Homes, LLC, a Virginia limited liability company

Manager: Boyd Corporation

Member: Justin R. Boyd and Joseph W. Boyd, III

Parking Study Determination Letter

CITY OF VIRGINIA BEACH

PLANNING & COMMUNITY DEVELOPMENT
ZONING DIVISION
planning.virginiabeach.gov

2403 Courthouse Drive, Building 3
Virginia Beach, VA 23456

December 23, 2024

AES Consulting Engineers
Attn: Mark Houston Ricketts, P.E., L.S.

Re: Parking Reduction Request for the Redevelopment of Cypress Point Shopping Center

Mr. Ricketts,

This letter is in response to your request for an administrative reduction to the parking requirement for the proposed redevelopment of the Cypress Point Shopping Center (GPIN: 14684534830000). Section 203(b)(10) of the City Zoning Ordinance allows the Zoning Administrator to determine the final parking ratio for a development upon review of a parking study. I have reviewed the submitted parking study, dated November 18, 2024, prepared by AES Consulting Engineers, and have approved the parking reduction.

The submitted shared parking analysis is approved to allow for a total of 676 parking spaces for the proposed redevelopment. The redevelopment of the site includes 343 multi-family residential units, 22 townhome units, 20,700 square feet of commercial/retail to remain, 8,900 square feet of new commercial/retail, 17,800 square feet of office space, and a 3,600 square foot restaurant. The considerations used in my approval of the parking reduction are listed below.

- Staff determined that the parking requirement, per Section 203 of the Zoning Ordinance, for the proposed redevelopment is 866 parking spaces. Details of this determination are listed below:
  - **613 parking spaces required for 343 multi-family dwelling units.** This is calculated using two spaces per unit for the first 50 units, and 1.75 spaces per unit for the remaining units.
  - **44 parking spaces required for 22 townhomes.** This is calculated using two spaces per dwelling unit.
  - **119 parking spaces required for the commercial/retail (existing and new).** This is calculated using one space per 250 square feet.
  - **54 parking spaces required for the office space.** This is calculated using one space per 330 square feet.
  - **36 parking spaces required for the restaurant.** This is calculated using one space per 100 square feet.

- The parking study proposes 676 parking spaces, which is a 22 percent reduction in total parking. Review of the ITE Parking Demand tables included in the parking study shows that the peak usage of the parking area is staggered between the proposed uses. Please see the following table showing the maximum and minimum demands and the time of day they occur.

Use	**Maximum demands**	**Time of max demands**	**Minimum demands**	**Time of min demands**
Multi-family	435	7:00 a.m.	300	1-2:00 p.m.
	429	7:00 p.m.		
Townhomes	31	7:00 a.m.	22	12-3:00 p.m.
	31	7:00 p.m.		
Commercial	119	1:00 p.m.	0	7:00 a.m.
			18	8:00 a.m.
Office	51	10-11:00 a.m.	1	7:00 a.m.
Restaurant	36	12:00 p.m.	1	7:00 a.m.
Total	**672 spaces**		**342 spaces**	

If the peak usage for each proposed use occurred simultaneously, the ITE parking demand for the site would be 672 spaces. The proposed 676 spaces satisfy this parking demand.

The table below shows the maximum demand for the proposed development at the times of the day where the highest demand is anticipated, per the ITE Parking Generation Manual.

Time of day	Multi-family	Townhomes	Commercial	Office	Restaurant	**Total**
7-8:00 a.m.	435	31	18	24	2	**510**
12-1:00 p.m.	307	22	119	43	36	**527**
6-7:00 p.m.	429	31	102	10	28	**600**

Upon review of the parking demand during those peak hours, the 676 parking spaces provided will satisfy the maximum parking demand.

Parking Study Determination Letter

- The proposed layout of the site functions well with the proposed shared parking between uses. See details below.
    - The commercial and office uses are located in the eastern portion of the site. There are 122 spaces in that area that will predominately, if not entirely, be used for those uses. There are 76 spaces located directly to the west of the commercial and office uses that are easily accessible to those areas. These 198 spaces accommodate the maximum demand for these uses at any one point during the day.
    - There are 478 spaces on the rest of the site that will predominately be available/used by the residential uses. These will accommodate the maximum demand for the residential uses at any one time of the day.

The submitted parking study detailing a shared parking analysis has been approved based on the identified areas dedicated to multi-family, townhome, commercial/retail, restaurant, and office uses. If the area dedicated to each use or the number of residential units changes from the submitted study, the Zoning Administrator must review the new plan/numbers to determine if they are in substantial compliance with this approved parking study.

Based on the information provided in the submitted parking study, the redevelopment of the Cypress Point Shopping Center is approved to reduce the total parking to 676 spaces. If I can be of further assistance, please contact me at (757) 385-8548 or by email at kpkemp@vbgov.com.

Sincerely,



Kevin Kemp

Zoning Administrator, City of Virginia Beach

Cc: Victoria Eisenberg, *Deputy City Attorney*

Next Steps

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