

February 9, 2011 Public Hearing

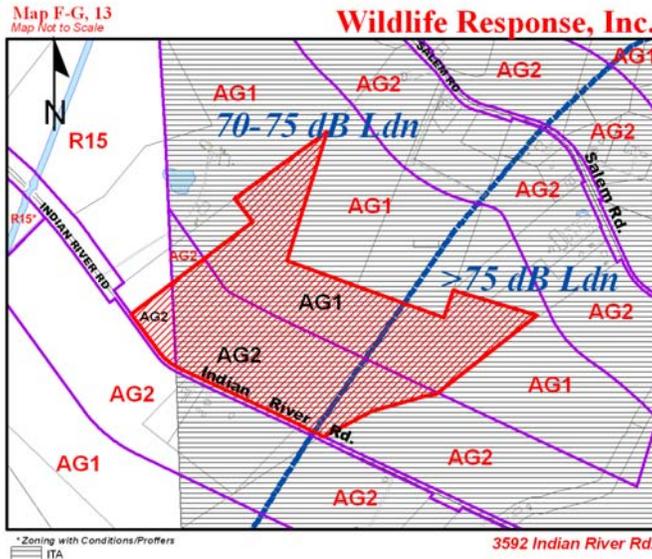
APPLICANT:

**WILDLIFE  
RESPONSE, INC.**

PROPERTY OWNER:

**CITY OF VIRGINIA  
BEACH**

STAFF PLANNER: Karen Prochilo



**REQUEST:**

Conditional Use Permit (Wildlife Rehabilitation Center)

**ADDRESS / DESCRIPTION:** 3592 Indian River Road

**GPIN:**  
14833863000000

**ELECTION DISTRICT:**  
PRINCESS ANNE

**SITE SIZE:**  
50.4 acres

**AICUZ:**  
70 dB - 75 dB DNL  
Greater than 75 dB LDN

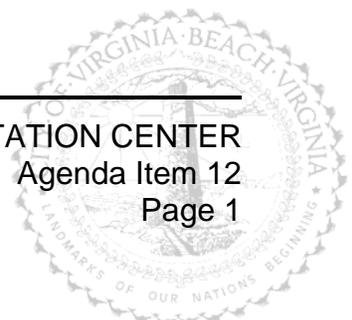
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**SUMMARY OF REQUEST**

The applicant, Wildlife Response, Inc. ("WRI"), requests a Conditional Use Permit to allow development of the site for a wildlife rehabilitation center. The applicant was incorporated in 1992 as the area's first wildlife rehabilitation organization. Over the years, WRI has utilized home-based wildlife rehabilitators through a dedicated 24-hour, 7 day per week hotline that receives over 11,000 calls a year from concerned citizens with questions about wildlife care or found animals. This service decreases the number of wildlife calls the area's animal control agencies have to respond to. However, with over 1.5 million people calling this region home, WRI has been hard pressed to keep up with the increasing number of wildlife that come into care each year.

Provision of this proposed wildlife rehabilitation center will help already over-tasked agencies run more efficiently as well as reduce the number of private animal shelters to take in wild animals that should not be in companion domestic animal facilities. By combining the existing volunteer hotline and rehabilitation services with this proposed facility, WRI plans to expand its existing services into a more full-service organization dedicated solely to wildlife care.



The proposed Wildlife Response & Rehabilitation Center (“the Center”) will be a central location where local citizens, animal control officials and other agencies can drop off wildlife; as well as provide a redistribution center for animals where they can be triaged, then sent to permitted home-based wildlife rehabilitators. This facility will provide state of the art veterinary care, and a safe recuperation site for wildlife brought there. WRI will also provide security for the Center by having a caretaker onsite, thus maintaining the property’s integrity and minimizing the risk of vandalism and trespassing. Most recuperated wildlife will be released offsite in appropriate habitat. Release criteria depends on variables such as weather, time of year, species of animal, age of animal or number of animals.

The Center will also launch an expanded educational platform for WRI that will be used to cultivate an understanding of our immediate environment and the wildlife that we cohabitate with. This portion of WRI’s mission will be fulfilled with onsite and offsite programs which may include “wild ambassadors” (animals unable to be returned to the wild but can help spread the message of wildlife conservation).

This proposal is master planned for three phases. The first phase would renovate the existing structure for use as a caretaker / director residence and construct rehabilitation enclosures to house recuperating wildlife. The plan insures that a majority of the current wooded area would remain in a natural state. The second phase proposes a medical treatment center, additional, rehabilitation enclosures, solar /water collection platforms and a workshop facility for onsite maintenance. The final phase would be for an administration / education facility and trail system.

The operation of the site varies with the seasons. During the winter months, staff may be limited to one or two staff /volunteers, while during the busy season there may be up to a half dozen staff/volunteers on site at any given time to take care of patients. Suggested hours of operation could be as follows: September 1<sup>st</sup> through March 31<sup>st</sup> the hours will be from 10:00 a.m. to 6:00 p.m. and from April 1<sup>st</sup> to August 31<sup>st</sup> hours of operation may from 8:00 a.m. to 8:00 p.m.

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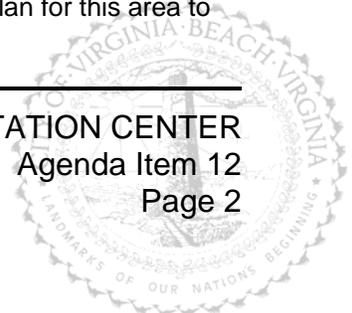
## LAND USE AND ZONING INFORMATION

**EXISTING LAND USE:** Primarily undeveloped with a single family dwelling on the site

<b>SURROUNDING LAND USE AND ZONING:</b>	North:	<ul style="list-style-type: none"> <li>• Rural residential / AG-1/AG-2 Agricultural Districts</li> <li>• Church and private school / AG-1/AG-2 Agricultural Districts</li> </ul>
	South:	<ul style="list-style-type: none"> <li>• Indian River Road</li> <li>• Rural residential / AG-1/Ag-2 Agricultural Districts</li> </ul>
	East:	<ul style="list-style-type: none"> <li>• Undeveloped land / AG-1/Ag-2 Agricultural Districts</li> </ul>
	West:	<ul style="list-style-type: none"> <li>• Rural residential / AG-1/Ag-2 Agricultural Districts</li> </ul>

**NATURAL RESOURCE AND CULTURAL FEATURES:** The majority of the site is undeveloped and heavily wooded with mature trees and vegetation. Wetlands and Southern Watershed Management Areas exist on the western side of the site.

**COMPREHENSIVE PLAN:** The Comprehensive Plan designates this area as being within the **South Princess Anne Commons, a subarea of Princess Anne Commons**. South Princess Anne Commons lies within the Interfacility Traffic Area (ITA) between NAS Oceana and NALF Fentress, a designation that reduces by-right residential density, yet overall still offers a unique opportunity for education, entertainment, recreation, habitat preservation, by-right rural residential and agricultural and related activities. It is not the intent of this Plan for this area to



become part of the urban area north of the Green Line. Instead, the general goals are for creation of quality development, provide for a planned mix of public and private uses, provide exceptional open spaces, and to design with nature. (p. 4-1)

The Comprehensive Plan recommends that South Princess Anne Commons be preserved and enhanced as needed to protect its major natural area located along the North Land River. Development proposals should adhere to the planning and design principles cited in the 'Transition Area Design Guidelines,' and strive to achieve 50% open space including berms, trees, buffers and trails to create safe, accessible and attractive roadway corridors and internal green space. Site plans should respect and showcase the site's valued natural resources incorporating a well planned system of multipurpose trails, greenways and other linkages, especially with regard to the Stumpy Lake-Back Bay Greenway, to implement the strategic goals of the Outdoors Plan. Furthermore, all development proposals should conform to the provisions of the Oceana land Use Conformity program and AICUZ provisions as well as employ energy efficient systems, preferably equivalent to or higher than the standards set for the Leadership in Energy and Environmental Design (LEED™) 'Certified' rating. (p. 4-1 through 4-10)

There are areas within Princess Anne Commons that deserve special attention and specific goals and policies. One such area is the ITA. The ITA was created in 2005 to address land use compatibility issues associated with frequent overflights of military jets in this part of the City that are impacted by noise zones at or greater than 65DNL. Planning policies affecting the ITA have been carefully written to achieve compliance with provisions of the City's adopted Oceana Land Use conformity program. (p. 4-10)

These planning policies include the Interfacility Traffic Area (ITA) and Vicinity Master Plan that will serve as a master plan for Princess Anne Commons adopted by City Council on January 25, 2011. In this master plan, the site of the proposed use is designated as a wildlife rehabilitation center. (p. 22)

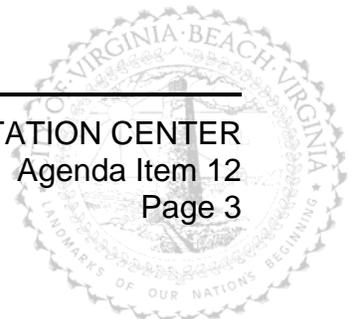
## CITY SERVICES

**MASTER TRANSPORTATION PLAN (MTP) / CAPITAL IMPROVEMENT PROGRAM (CIP):** The site is located on the north side of Indian River Road approximately three quarters of a mile west of North Landing Road. Indian River Road is a two lane minor suburban arterial classified as a Princess Anne Commons/Transition Area Parkway and an Access Controlled Road in the 2009 Master Transportation Plan, with a 150' right-of-way specified therein.

<b>TRAFFIC:</b>	<b>Street Name</b>	<b>Present Volume</b>	<b>Present Capacity</b>	<b>Generated Traffic</b>
	Indian River Road	5,450 ADT <sup>1</sup>	13,600 ADT <sup>1</sup> (Level of Service "C") - capacity	Existing Land Use <sup>2</sup> - 10 ADT Proposed Land Use <sup>3</sup> - 60 ADT
<sup>1</sup> Average Daily Trips <sup>2</sup> as defined by 1 single family dwelling <sup>3</sup> as defined by 1 SF dwelling, 2,400 SF administration center & 4,500 SF rehabilitation center				

**STORMWATER MANANGEMENT:** Phase 2 and 3 improvements will need to address stormwater quality regulations.

**WATER:** There is no City water available to this site. Water analysis, construction plans and bonds are required for the water system. Health Department approval is required for a private well.



**SEWER:** There is no City water available to this site. Sewer analysis, pump station calculations, construction plans and bonds are required for the sewer system. Health Department approval is required for a septic system.

**FIRE DEPARTMENT:** Uniform Statewide Fire Prevention Code: Section 508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into with the jurisdiction. The water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other approved fixed systems capable of providing the required fire flow to a fire hydrant. It is recommended that an automatic fire detection system be installed in this facility.

**PARKS AND RECREATION:** The design and construction of all pathways and animal enclosures in all phases will need to be coordinated with Parks and Recreation Planning Design and Development. A tree removal /tree protection plan must be prepared by an ISA Certified Arborist or an ASCA Registered Consulting Arborist and submitted to the City Arborist for review and approval prior to any tree removal for pathways, animal enclosures, structures, parking, etc. Individual diseased or dying trees can be removed only after consultation with City Arborist. The applicant acknowledges that any trail or public path system on this property will need to be coordinated with Parks and Recreation.

**POLICE DEPARTMENT:** With future phases, the installation of closed circuit TV should be considered.

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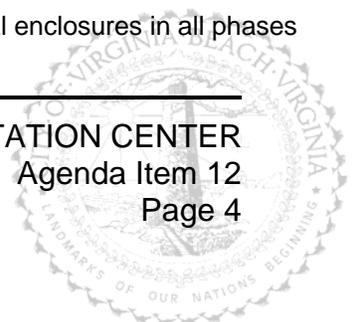
## EVALUATION AND RECOMMENDATION

This proposal protects and integrates the site's natural resources, while achieving over 50% of the developable area's existing natural resources for open space and internal green space. The goals and policies of the Comprehensive Plan, the ITA Plan and the Transition Area Design Guidelines are reflected in the proposed development, and implements a vision set forth in the ITA and Vicinity Master Plan.

Therefore, staff recommends approval of this request with the following conditions.

### **CONDITIONS**

1. The site shall be developed substantially in accordance with the submitted "Conceptual Site Layout for Wildlife Response & Rehabilitation Center", Page 1 of 2 not dated and prepared by Aatlantia Design Group, Inc. and "Enlarged Conceptual Site Layout for Wildlife Response & Rehabilitation Center", Page 2 of 2 not dated, prepared by Aatlantia Design Group, Inc.. Said plans have been exhibited to the Virginia Beach City Council and are on file in the Planning Department.
2. The proposed caretaker house will be renovated substantially in accordance with the submitted "Alterations and Renovations to Wildlife Response - Caretaker House Sheet AE201, dated March 12, 2010. Signage depicted on the elevations is not approved. A separate sign package shall be submitted to the Current Planning Division for review and approval. Said plan has been exhibited to the Virginia Beach City Council and is on file in the Planning Department.
3. The design and construction of all pathways (both private & public) and animal enclosures in all phases

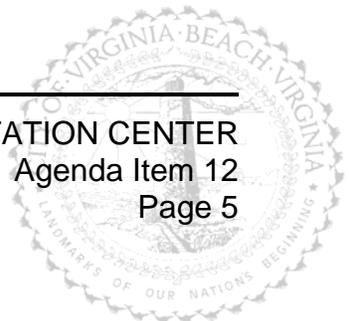


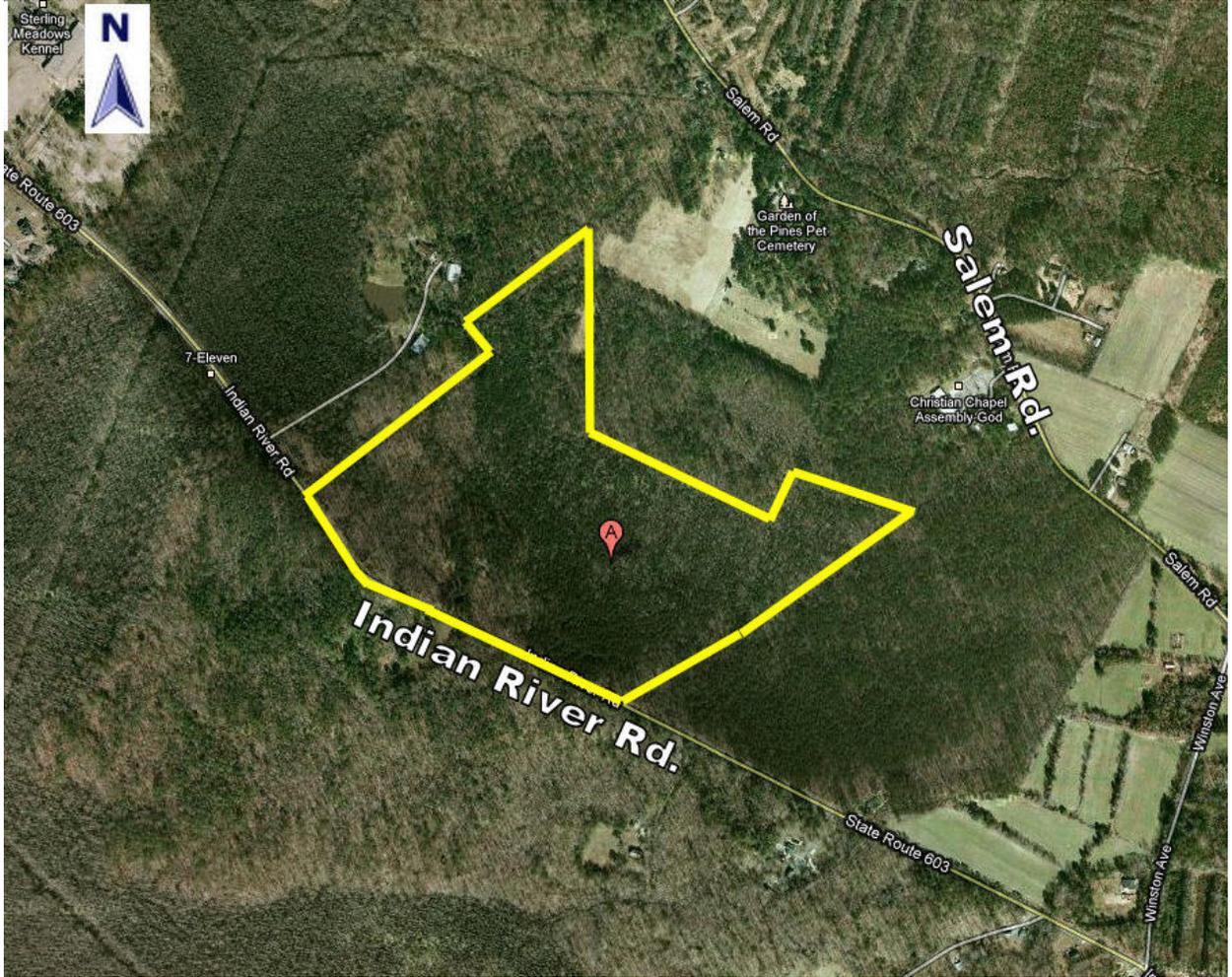
will need to be coordinated with Virginia Beach Parks and Recreation Planning Design and Development.

4. A tree removal /tree protection plan must be prepared by an ISA Certified Arborist or an ASCA Registered Consulting Arborist and submitted to the City Arborist for review and approval prior to any tree removal for pathways, animal enclosures, structures, parking, etc.
5. Individual diseased or dying trees can be removed only after consultation with City Arborist.

***NOTE: 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 uses allowed by this Use Permit 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.***

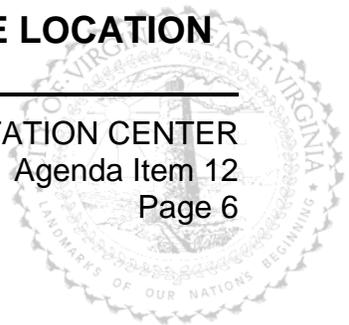


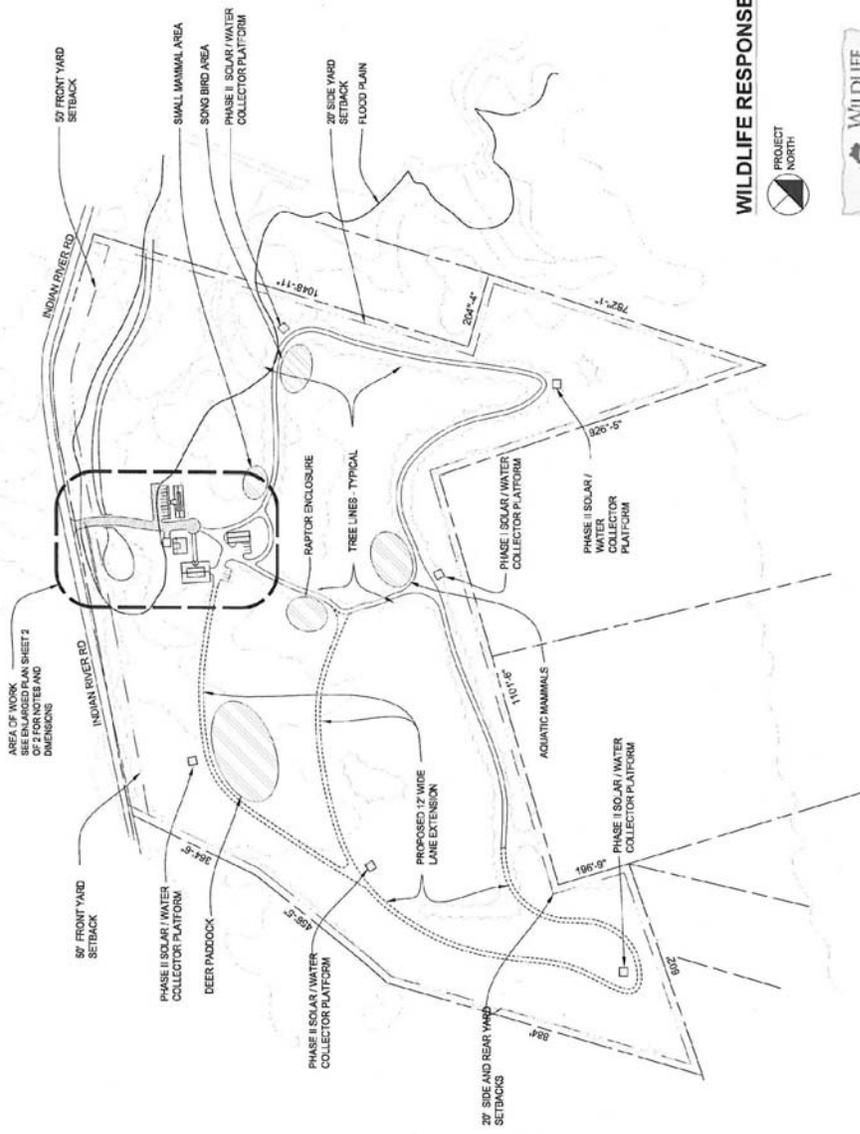


## AERIAL OF SITE LOCATION

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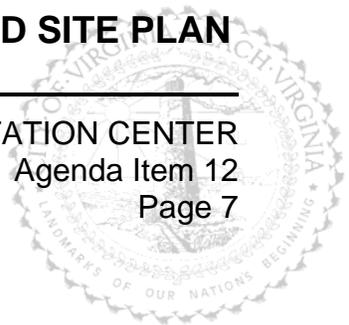


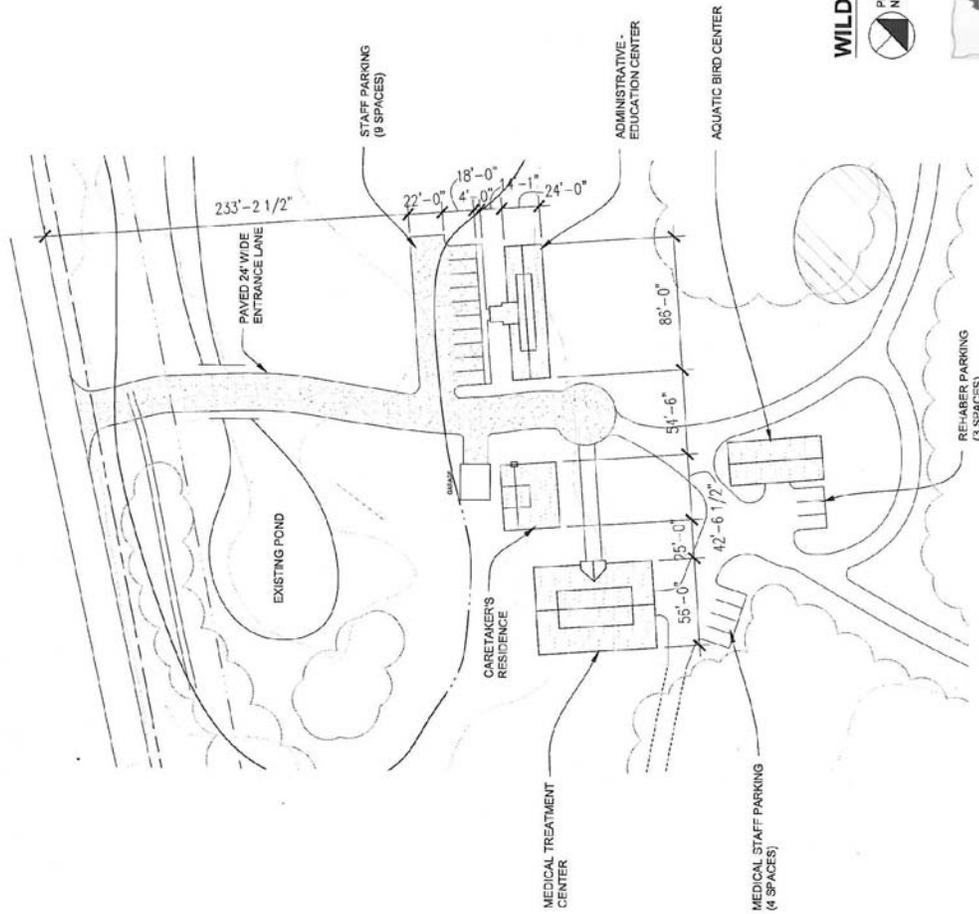
WILDLIFE RESPONSE & REHABILITATION CENTER  
 SCALE = 1"=1500  
 PAGE 1 OF 2



## PROPOSED SITE PLAN

WILDLIFE REHABILITATION CENTER  
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**ENLARGED CONCEPTUAL SITE LAYOUT FOR:  
WILDLIFE RESPONSE & REHABILITATION CENTER**

SCALE = 1:400

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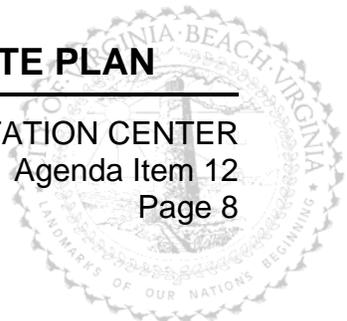


**PROPOSED ENLARGED SITE PLAN**

WILDLIFE REHABILITATION CENTER

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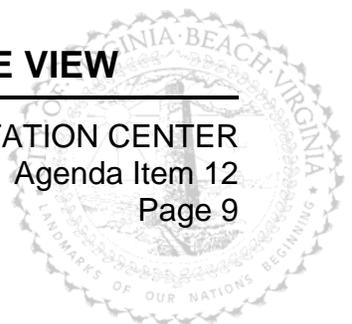




**PERSPECTIVE VIEW**

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Caretaker's Residence

**Aatlantia**  
 DESIGN GROUP, INC.  
 PHONE: 757-407-8821 (mobile)  
 EMAIL: aatlantia@yahoo.com

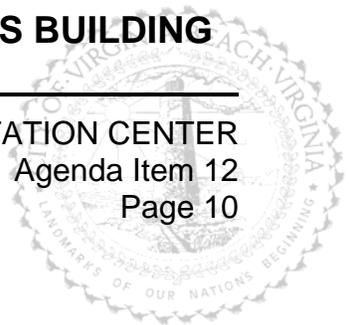
**Wildlife Response & Rehabilitation Center**

Exterior Rendering  
 Virginia Beach, Virginia

**WILDLIFE RESPONSE**

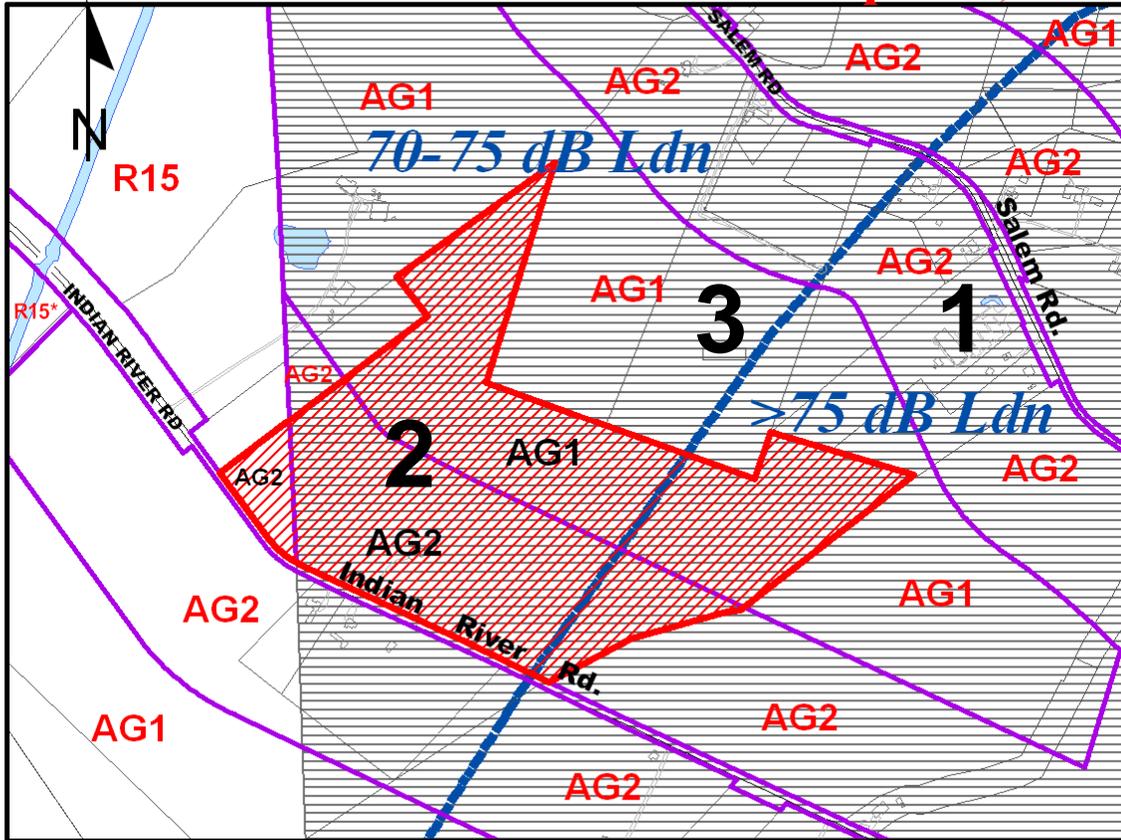
**RENDERING OF CARETAKER'S BUILDING**

WILDLIFE REHABILITATION CENTER  
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Map F-G, 13  
Map Not to Scale

# Wildlife Response, Inc.



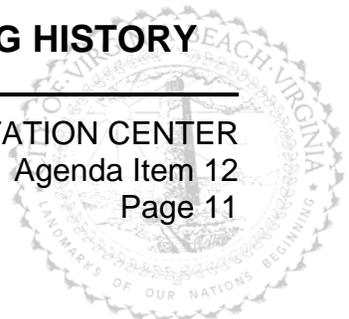
\* Zoning with Conditions/Proffers  
IT A

3592 Indian River Rd.

1	01/13/98	Conditional Use Permit – private school	Granted
	08/13/91	Conditional Use Permit – church	Granted
	11/28/88	Subdivision Variance	Granted
2	08/10/87	Conditional Use Permit – single family	Granted
3	03/25/83	Conditional Use Permit – addition to cemetery	Granted

## ZONING HISTORY

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## DISCLOSURE STATEMENT

### APPLICANT DISCLOSURE

If the applicant is a corporation, partnership, firm, business, or other unincorporated organization, complete the following:

1. List the applicant name followed by the names of all officers, members, trustees, partners, etc. below: *(Attach list if necessary)*

(see attached)

2. List all businesses that have a parent-subsidiary<sup>1</sup> or affiliated business entity<sup>2</sup> relationship with the applicant: *(Attach list if necessary)*

NONE

- Check here if the applicant is **NOT** a corporation, partnership, firm, business, or other unincorporated organization.

### PROPERTY OWNER DISCLOSURE

*Complete this section only if property owner is different from applicant.*

If the property owner is a corporation, partnership, firm, business, or other unincorporated organization, complete the following:

1. List the property owner name followed by the names of all officers, members, trustees, partners, etc. below: *(Attach list if necessary)*

2. List all businesses that have a parent-subsidiary<sup>1</sup> or affiliated business entity<sup>2</sup> relationship with the applicant: *(Attach list if necessary)*

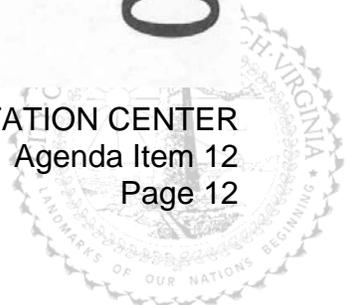
- Check here if the property owner is **NOT** a corporation, partnership, firm, business, or other unincorporated organization.

<sup>1</sup> & <sup>2</sup> See next page for footnotes

Does an official or employee of the City of Virginia Beach have an interest in the subject land? Yes  No

If yes, what is the name of the official or employee and the nature of their interest?

CITY OWNS THE PROPERTY IN THIS REQUEST.



DISCLOSURE STATEMENT

ADDITIONAL DISCLOSURES

List all known contractors or businesses that have or will provide services with respect to the requested property use, including but not limited to the providers of architectural services, real estate services, financial services, accounting services, and legal services: (Attach list if necessary)

Aatlantia Design, Wachovia Bank, others TBD

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.

CERTIFICATION: I certify that the information contained herein is true and accurate. I understand that, upon receipt of notification (postcard) that the application has been scheduled for public hearing, I am responsible for obtaining and posting the required sign on the subject property at least 30 days prior to the scheduled public hearing according to the instructions in this package. The undersigned also consents to entry upon the subject property by employees of the Department of Planning to photograph and view the site for purposes of processing and evaluating this application.

Lisa Barlow
Applicant's Signature

LISA BARLOW
Print Name

James K. Spore
Property Owner's Signature (if different than applicant)

JAMES K. SPORE
Print Name

