

March 7, 2018

Mrs. Amy Ring
Director of Planning and Zoning
P. O. Box 80
Isle of Wight, VA 23397

RE: Brewer's Station Amended Zoning Request under Section 1-1016(G)

Dear Mrs. Ring:

Based upon the attached letter from County Attorney Mark Popovich dated February 12, 2018, and the meeting with you and other staff on February 28, 2018 regarding the request for amendment to Conditional Planned Development Mixed Use (C-PD-MX) zoning for the proposed Brewer's Station mixed use planned development, I am resubmitting the Community Impact Statement with appropriate changes to remove reference to the Code of Virginia, Section 2303.4, and a revised Statement of Proffered Conditions. Also for simplicity, I am restating the following particulars of my request.

The property, consisting of four (4) land bays totaling approximately seventy (70) acres, is located on both sides of Brewer's Neck Boulevard and was granted C-PD-MX zoning by the Board of Supervisors on March 20, 2014. A copy of the existing proffered zoning conditions is attached as a red-lined copy to reflect proposed changes being made under this amended conditional zoning request.

Proposed development will accommodate a variety of housing styles, civic uses, and mixed commercial uses, such as retail, office and restaurants. The following represents the development as proposed in each of the four (4) land bays:

Land Bay I – 65 single-family residential units
Land Bay II – 162 multi-family residential units
Land Bay III – 85,000 square feet of commercial area
Land Bay IV – 34 condominiums

The purpose of this amendment is to allow construction of the proposed development to begin in phases, beginning with the construction of the multi-family section in Land Bay II and the commercial section in Land Bay III. The currently approved proffered conditions are very specific with regard to the location of the pump station in Land Bay I. Phasing the development to begin with Land Bays II and III may require construction of the pump station in a different land bay.

Therefore, I am specifically requesting amendment to Section VII. Water and Sewer Improvements to modify the location of the pump station to accommodate phasing of water and sewer improvements. In addition, I am requesting amendment to Section III to allow for modifications to the cash proffers associated with the development.

These amendments are being requested in accordance with Section 1-1016 of the Isle of Wight County Zoning Ordinance which allows for the Board of Supervisors to waive the requirements of a public hearing when such amendment to Conditional Zoning does not affect conditions of use or density. Section 1-1016 (G) reads as follows:

“There shall be no amendment or variation of proffered conditions as part of an approved rezoning until after a public hearing before the board of supervisors advertised pursuant to the provisions of this ordinance. However, where an amendment to the proffered conditions is requested by the applicant, and where such amendment does not affect conditions of use or density, the board of supervisors may waive the requirements of a public hearing. Once so amended, the proffered conditions shall continue to be an amendment to the ordinance and may be enforced by the zoning administrator pursuant to the provisions of the ordinance.”

In support of this request, I am submitting a new Community Impact Statement, prepared by Beverly Walkup, Planning Consultant, along with revised proffered conditions and copies of the supporting exhibits prepared by Kimley Horn and Associates, Inc. that were submitted as part of the original 2014 rezoning application which remain unchanged since there are no changes to the proposed development plan.

I can be reached for questions or additional discussion with regard to this request at [\(757\) 871-1702](tel:7578711702). You may also contact Beverly Walkup at 757-651-4843 with

regard to questions on the Community Impact Statement or Ted Miller at 757-355-6642 with regard to engineering questions.

Sincerely,

Francis P. Norsworthy

Attachment(s)