



CITY OF SUFFOLK

442 W. WASHINGTON ST., POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT

Division of Planning

April 2, 2019

Mr. Whitney Saunders
Saunders and Ojeda P.C.
705 W. Washington Street
Suffolk, VA 23434

RE: REZONING REQUEST, RZN2018-007, (Conditional), Towne Creek to rezone and amend the official zoning map of the City of Suffolk to change the zoning from B-2, General Commercial zoning district and RLM, Residential Low-Medium Density zoning district, to RU, Residential Urban zoning district, for property located at 1407, 1419 and 1427 Holland Road, Zoning Map 33, Parcels 66, 66C, and 66D.

Dear Mr. Saunders:

With regard to the above-referenced Rezoning Request, please be advised that the Suffolk City Council voted 7-1, at its March 20, 2019 meeting, to **approve** this application. The **original certified Ordinance is enclosed** and must be recorded with the Clerk of the Circuit Court at the courthouse. Please be sure the Land Systems cover sheet is prepared and attached to the ordinance at the time of recording. This cover sheet can be obtained from www.courts.state.va.us or completed by you at the courthouse on their designated computer. If you have any questions regarding this cover sheet, please contact the Clerk of Courts at 757-514-7800 for assistance.

If you have not already done so, the Notice of Hearing signs that were posted on the property may now be removed and disposed of. If you have any questions regarding this matter or if I may be of any assistance, please feel free to contact me at 757-514-4065 (email:kwyne@suffolkva.us).

Sincerely,

Kevin M. Wyne, AICP
Principal Planner

C: Bob Arnette, Coastal Virginia Partners, LLC, 4720 Norman Road, Portsmouth, VA 23703
FILE

ORDINANCE NUMBER 19-O-020**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK, TO CHANGE THE ZONING FROM B-2, GENERAL COMMERCIAL ZONING DISTRICT, AND RLM, RESIDENTIAL LOW-MEDIUM DENSITY ZONING DISTRICT, TO RU, RESIDENTIAL URBAN ZONING DISTRICT, FOR PROPERTY LOCATED AT 1407, 1419, AND 1427 HOLLAND ROAD, ZONING MAP 33, PARCELS 66, 66C, AND 66D; RZN2018-007 (CONDITIONAL)**

WHEREAS, Whitney Saunders, Saunders & Ojeda, P.C., Agent, on behalf of Bob Arnette, Coastal Virginia Partners, LLC., applicant, on behalf of Shirley G. and Morris V. Robertson, property owners, has requested a change in zoning from B-2, General Commercial zoning district, and RLM, Residential Low-Medium Density zoning district, to RU, Residential Urban zoning district (Conditional), for property located at 1407, 1419, and 1427 Holland Drive, Zoning Map 33, Parcels 66, 66C, and 66D, which land is depicted on Exhibit "C"; and

WHEREAS, the proposed rezoning and amendment to the official zoning map have 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 20th day of March, 2019, 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" and Exhibit "B", "Rezoning Proffers", Exhibit "C", "Property Map", and Exhibit "D" "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 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; 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 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 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 3. Rezoning.

1. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted.
2. The property as shown on the attached Exhibit "C" is hereby, conditionally rezoned and the official zoning map be, and it is hereby, amended from B-2, General Commercial Zoning District and RLM, Residential Low Medium Density Zoning District, to RU, Residential Urban 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 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.

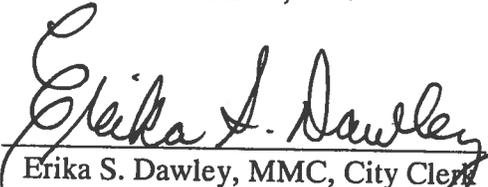
Section 4. Recordation.

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: MARCH 20, 2019

APPROVED:


Erika S. Dawley, MMC, City Clerk

A TRUE COPY

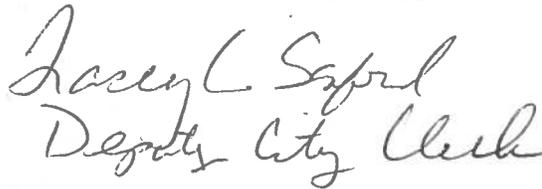

Lacey C. Soper
Deputy City Clerk

EXHIBIT "A"

RESOLUTION NO. 19-2-3

CITY OF SUFFOLK PLANNING COMMISSION

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO CITY COUNCIL RELATING TO REZONING REQUEST
RZN2018-007 (CONDITIONAL)
TO CHANGE THE ZONING FROM B-2, GENERAL COMMERCIAL ZONING
DISTRICT, AND RLM, RESIDENTIAL LOW-MEDIUAM DENSITY ZONING
DISTRICT, TO RU, RESIDENTIAL URBAN ZONING DISTRICT, FOR PROPERTY
LOCATED AT 1407, 1419, AND 1427 HOLLAND ROAD, ZONING MAP 33, PARCELS
66, 66C, AND 66D**

WHEREAS, Whitney Saunders, Saunders & Ojeda, P.C., Agent, on behalf of Bob Arnette, Coastal Virginia Partners, LLC., applicant, on behalf of Shirley G. and Morris V. Robertson, property owners, has requested a change in zoning from B-2, General Commercial zoning district, and RLM, Residential Low-Medium Density zoning district, to RU, Residential Urban zoning district (Conditional), 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:
2. the existing use and character of property within the City;
 3. the Comprehensive Plan;
 4. the suitability of the property for various uses;
 5. the trends of growth or change;
 6. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
 7. the transportation requirements of the community;
 8. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
 9. the conservation of natural resources;

10. the preservation of flood plains;
11. the preservation of agricultural and forestal land;
12. the conservation of properties and their values;
13. the encouragement of the most appropriate use of land throughout the City;
14. 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 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the request, RZN2018-007 (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:

Feb 19/19

TESTE:

[Signature]

RECEIVED
JAN 28 2019
PLANNING

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) 33*66,33*66C & 33*66D

Block Number _____, Parcel Number(s) 152772000, 152774000 & 152768000

1. The property owner will make a cash contribution to the City of Suffolk to increase capacity for additional students at the elementary school level. This contribution will be based upon the number of students generated by the total number of building units shown on the approved development plan subject to level of service requirements in section 31-601 of the Unified Development Ordinance in force at the time of this application.
2. The Property owner shall construct no more than 140 attached and detached single family dwellings on the subject property.
3. The Property owner shall construct an exclusive eastbound right turn lane on Holland Road into each entrance to the property
4. All homes shall have a minimum square footage of heated living space of (1250) square feet.
5. All homes shall have a crawl space or raised/ elevated slab foundation with the finished first floor a minimum of 16 inches above grade
6. Materials for the front, sides and rear of the homes shall be brick veneer, stone, cement based siding, high quality vinyl siding, cement-fiber board siding (i.e. LP "Smart Side" or approved equal). Vinyl siding shall be a minimum of 0.044-inch thick and may only be lapped or beaded siding.
7. Roofing shall be copper, metal or fiberglass architectural style shingles which must carry a minimum 25 year warranty.

Applicant Signature: 

Date: 1/25/19

Property Owner Signature: Shirley B. Robertson

Date: 1/25/19

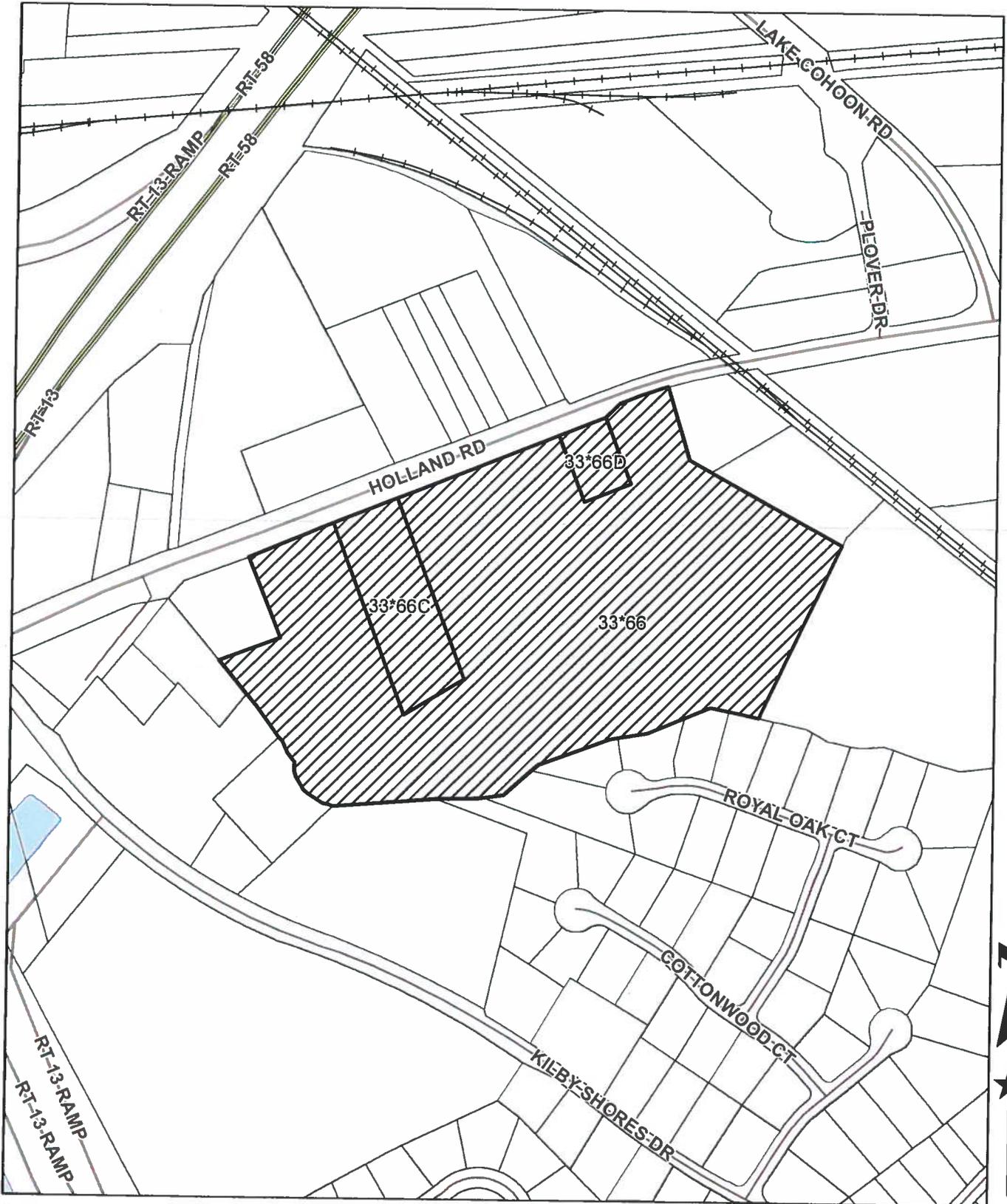
Property Owner Signature: Morris V. Robertson

Date: 1/25/19



PROPERTY MAP RZN2018-007

EXHIBIT C



User Name: bsmith
Date: 1/8/2019

Proposed zoning change from RLM, Residential Low-Medium Density to RU, Residential Urban

FILE NAME: P:\13-County VA Develop\122311-Holland Rd\GIS\Drawings\Holland Rd-Change 4 - Zoning Exhibit.dwg LAYOUT: RZ02: Rezoning Exhibit PLOTTER: Turboplot, December 13, 2016 - 5:27pm



SHEET NO. K	LOCATION TOWNE CREEK	DATE ISSUED 06-29-18	△		BLAKEWAY surveying + engineering + environmental 630 N. WITCHAMUCK RD. - VA BEACH, VIRGINIA 23466 757.239.0861 • 757.239.0865 www.blakeway.com
	SHEET FILE REZONING EXHIBIT	DESIGNED BY CF	△		
	SITE ID	APPROVED BY SMB	△		
	SITE ADDRESS 1419 Holland Road Stafford, VA	REVIEWED BY CF	△		
		DATE	DESCRIPTION		