



# CITY OF POQUOSON

PLANNING DEPARTMENT

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August 22, 2016

**To:** The Honorable City Council

**Through:** City Manager

**From:** Kevin M. Wyne, AICP, Planner

**Subject:** **Land Use Map Amendment Request, Rezoning Request and Conditional Use Permit Request for Tax Parcel Nos. 27-9-2 and 27-18-2 and a Conditional Use Permit Request for Tax Parcel No. 27-1-87**

Presented for your work session discussion are three (3) separate requests from Mr. Robert Moses, developer and Mr. John B. Graham. Mr. Graham is the property owner of two (2) of the parcels involved in the development proposal for which Mr. Moses is the developer. In addition, Mr. Moses is the owner and developer of the third parcel. The requests are for properties immediately adjacent to the Fountains of Poquoson development located south of Alphus Street and immediately south of the Poquoson Commons Shopping Center. The applications involve a request to amend the City's Future Land Use Map for Tax Map Nos. 27-9-2 and 27-18-2, both of which front on Wythe Creek Road and are owned by Mr. Graham, by changing their land use map designation from General Commercial to Village Commercial. Additionally, the applicants are requesting that these same two (2) parcels be rezoned from B-2, Business/Commercial to VC-Village Commercial. Lastly, the applicant is requesting a Conditional Use Permit for the parcels mentioned above as well as Tax Map No. 27-1-87, located immediately east of the City's Economic Development Authority pond and south of Alphus Street, to allow for over one half of the developed square footage to consist of residential. A rezoning and land use map amendment is not required on the last parcel as it is already zoned Village Commercial and designated for use as Village Commercial in the City's Future Land Use Map. Please find the table below which should offer clarity as to which parcels are involved and in what capacity.

Parcel	Owner	Current Zoning	Proposed Zoning	CUP Required
27-9-2 (Phase III, Mixed Use Site)	Mr. Graham	B-2	VC	Yes
27-18-2 (Phase III, Mixed Use Site)	Mr. Graham	B-2	VC	Yes
27-1-87 (Phase IV, Townhome Site)	Mr. Moses	VC	Will not change	Yes

The attached staff report prepared for the Planning Commission, dated August 15, 2016, outline the requests in detail. Additionally, there are several maps attached which may be helpful in identifying the various parcels involved.

The Planning Commission held a public hearing on this proposal at their Monday, August 15, 2016 meeting and has recommended approval of all three (3) land use applications by a vote of 5-1. As a part of their recommendation the Planning Commission did make one addition to the staff proposed conditions as it pertains to the developer's Conditional Use Permit request. Specifically, the Planning Commission's recommendation advances to you with the addition of the following condition:

10. Prior to the issuance of any building permit related to Phase IV (townhome site as depicted on the submitted plan), the developer must provide documentation to the City verifying that two-thirds of commercial and residential components of the entire development (to include Phases I, II and III) are occupied.

All other conditions as suggested by staff have been recommended by the Planning Commission and can be found in the attached report prepared for the Planning Commission dated August 15, 2016.

A public hearing on this item is scheduled for your Monday, September 12, 2016 meeting.

KMW