

ORDINANCE NUMBER 2022-



**AN ORDINANCE APPROVING AN AMENDMENT TO THE
IVY COMMONS PRELIMINARY SUBDIVISION PLAT AND
WAIVING A SUBDIVISION PROVISION OF THE CITY CODE
FOR PROPERTY LOCATED AT 0 IVY LANE WAYNESBORO, VIRGINIA,
TAX MAP NOS. 14-6-25A AND 15-1-1**

WHEREAS, upon application, The Q, LLC, c/o Milestone Partners, as owner and as agent for the Estate of W. D. Quesenbery, Jr., et al., c/o Whitney Quesenbery, of 2 tracts located at 0 Ivy Street, Tax Map Numbers 14-6-25A and Tax 15-1-1, requesting an amendment to the preliminary subdivision plat entitled “Quesenbery Subdivision Amendment to Preliminary Plat” produced by Timmons Group and dated December 20, 2019 and revised March 9, 2020, December 10, 2021, and January 25, 2022, to amend the Quesenbery plat, now branded “Ivy Commons” (the “Ivy Commons Preliminary Subdivision Plat”), for a 215-lot residential subdivision on a 66.106 acre tract located at 0 Ivy Street, Waynesboro, Virginia, with a waiver of Section 74-71(e) that no right-of-way be used for street trees when less than 60 feet of right-of-way is provided pursuant to Waynesboro City Code Section 74-10;

WHEREAS, the Ivy Commons Preliminary Subdivision Plat was originally approved as a 214-lot residential subdivision on May 7, 2020;

WHEREAS, the amendment to the Ivy Commons Preliminary Subdivision Plat adds one additional lot by relocating the northern road connection farther west and removing one of the inter-parcel road connections to the east. The removal of the northernmost road connection to the Smith parcel allowed for the addition of one parcel, increasing the number of lots from the approved 214 to 215;

WHEREAS, the requested amendment meets the requirements of Sec. 74-22(f) of the City Code;

WHEREAS, a waiver of the provisions of Sec. 74-71(e) best satisfies the overall purposes set forth in Sec. 74-72 of the City Code;

WHEREAS, public hearings were held by the Waynesboro Planning Commission on January 18, 2022, and City Council on February 14, 2022, pursuant to notice thereof as required by § 98-577 of the Code of the City of Waynesboro and §§ 15.2-2204 and 15.2-2205 of the Code of Virginia; and

WHEREAS, the Ivy Commons Preliminary Subdivision Plat will otherwise meet or exceed all the requirements of state and local law as to minimum standards of subdivision within the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that

1. The request for an amendment to the preliminary subdivision plat entitled “Quesenbery Subdivision Amendment to Preliminary Plat” produced by Timmons Group and dated December 20, 2019 and revised March 9, 2020, December 10, 2021, and January 25, 2022, to amend the Quesenbery plat, now branded “Ivy Commons”, for a 215-lot residential subdivision on a 66.106 acre tract located at 0 Ivy Street, Waynesboro, Virginia, Tax Map Numbers 14-6-25A and Tax 15-1-1, with a waiver, pursuant to City Code Section 74-10, of City Code Section 74-71(e) of the provision that no right-of-way be used for street trees when less than 60 feet of right-of-way is provided, submitted by The Q, LLC, c/o Milestone Partners, as owner and as agent for the Estate of W. D. Quesenbery, Jr., et al., c/o Whitney Quesenbery, is hereby granted in accordance with the application (MJR #21-015) and the staff report dated February 14, 2022, with the waiver being conditioned upon following:

a. Street trees may be located within the right of way pursuant to staff approval of tree species.

2. The City Manager, or his designee, is authorized to take all actions reasonably necessary to effectuate and carry out the purpose of this Ordinance, including, without limitation, execution of such documents as are reasonably necessary to approve this amendment and grant the waiver.

3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED: February 14, 2022 BY COUNCIL MEMBER SAM HOSTETTER

ADOPTED:

EFFECTIVE:

CERTIFICATE

The undersigned Mayor and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled An Ordinance Approving an Amendment to the Ivy Commons Preliminary Subdivision Plat and Waiving a Subdivision Provision of the City Code for Property Located at 0 Ivy Lane, Waynesboro, Virginia, Tax Map Nos. 14-6-25A and 15-1-1, adopted by the City Council at a meeting held on _____, 2022.

[SEAL]

CLERK

MAYOR