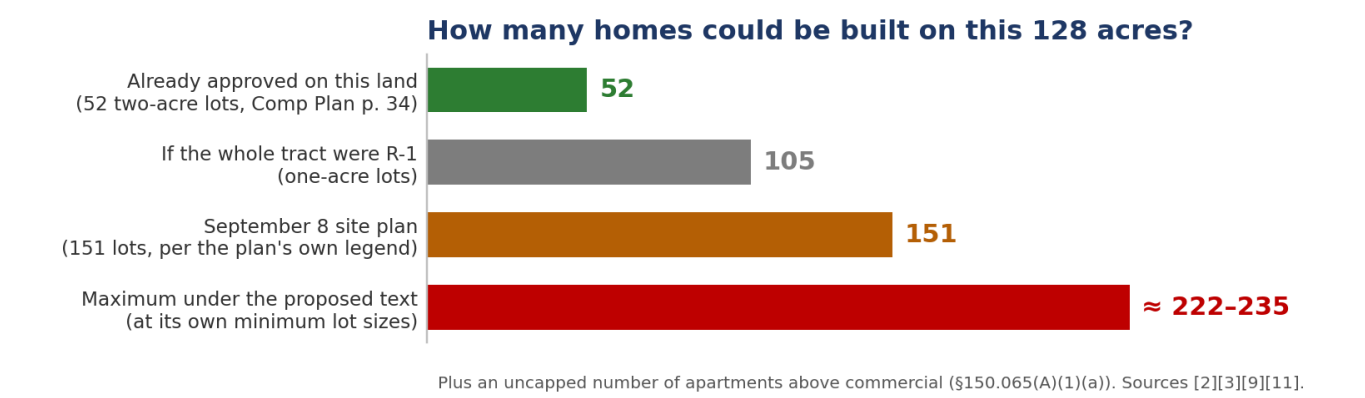


# Proposed Village Overlay (VO) District: Questions & Concerns

Review of The Renaissance Group, LLC zoning request (Aug 14, 2026) and its Sept 8, 2026 presentation · Prepared for Irvington Town Council and Planning Commission · September 9, 2026 · Prepared by Evan Cotter, Irvington resident and business owner

**What is being asked.** The Renaissance Group, LLC has asked Council to **initiate** an amendment to the zoning code creating a "Village Overlay District" on about 128 acres north and east of Irvington Road (the White Fences / Irvington Farm Road tracts) plus a commercial strip on Irvington Road. The proposal is two documents: a two-page letter and **six pages of draft code language, the only part that would become law.** The September 8 slides are a sales presentation with no legal force. Where the slides and the text disagree, the text controls. [1][2][3]



## The six biggest concerns, in plain terms

- 1 It is a rezoning, not an "overlay"**

Today this land is zoned for one house per 1–2 acres. An overlay normally adds design rules and leaves that alone, which is what the room was told. But **the six pages submitted to the Town in August say the new rules replace the old ones** (§150.061(B)): lots as small as **6,500 sq ft, about one-seventh of an acre. Changing how many houses can be built is the definition of a rezoning.** "Overlay" is a label.
- 2 No maximum number of homes**

Read the six pages for a sentence like "no more than X houses." **It is not there.** At the text's own minimum lot sizes the land yields **roughly 220–235 houses plus unlimited apartments above shops** (chart). **52 two-acre lots are already approved on this land today.** The site plan shown had 151 lots, nearly three times that; the text would allow more than four times. The site plan is a drawing, not part of the proposal.
- 3 The promises are not in the text**

Pool, pickleball, dog park, gardens, memberships, restrooms, roundabout, tree preservation, design standards, \$200k a year: **none of it appears in the six pages** (Table A). The one sentence on amenities says open space "may" be improved: **may, not must.** Adopt the text as written and **the developer is free to build the houses and skip everything else.** Their consultant said the approach is controls first, decide what to build later (recording, 41:17).
- 4 Council is asked to do it itself, with no strings**

A normal rezoning is filed by the owner with an application, disclosure, and **binding written promises (proffers)**. A Council-initiated amendment has none of that. Once adopted, ~200 homes are **by-right: staff approvals only, no more hearings, no conditions**, and the entitled land can be sold to any builder. **Adoption is the point of no return.**
- 5 No sewer plan**

**Irvington has no public sewer;** everyone is on septic. A 6,500 sq ft lot cannot hold a house, a well, and a drainfield. The only mention in six pages is a footnote pointing to the Health Department. The Town's own Plan says septic works here "given our relatively low density of housing" (pp. 41–42). **This decides whether any of it is buildable.**
- 6 The Comprehensive Plan says the opposite**

The Plan adopted Dec. 12, 2024 assigns these northern and eastern tracts to **two-acre lots "to preserve the small-town and rural atmosphere"** (p. 28), calls for "limited density" (p. 5), and maps this land single-family, not mixed-use, on the Future Land Use Map (p. 55). The letter claims the Plan supports the proposal; **it does not.**

**Before Council does anything, require:** a hard cap on homes and apartments · a definition of open space that excludes wetlands and buffers · a sewer and water plan with VDH/DEQ review · every promise written in as a requirement or proffered on an owner-filed rezoning · keep Conditional Use Permit review for businesses (§154.085(B)) · a written finding on consistency with the Comprehensive Plan · a parcel-by-parcel map · the LLC's members and the landowners on the record. *Details in Section 5.*

## Where this information comes from

- **The written proposal:** an 8-page PDF the Town posted on September 2, 2026 [1][2]. Pages 1–2 are a cover letter dated August 14, 2026, signed by a Project Manager of The Renaissance Group, LLC. Pages 3–8 (numbered "Page 1 of 6" to "6 of 6") are the proposed code language, §§150.060–150.066. **"The proposed ordinance" in this document means those six pages. It is a proposal; nothing in it is law yet.**
- **The September 8 presentation** [3]: slides shown at Compass Entertainment Center, photographed at the session. A sales presentation with no legal force.
- **The Town's current zoning code** [10], Chapter 154 (used to show what would change), and the **Comprehensive Plan adopted December 12, 2024** [11], which zoning amendments must be consistent with. Sources [4]–[9]: the Town website, the Code of Virginia, two news items, and my arithmetic.

**Table A: Presented on September 8 vs. written in the proposed ordinance**

| Presented on September 8 [3]                          | In the proposed ordinance? | Where / note [2]                                                                  |
|-------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------|
| Community center (pool, pickleball, dog park, garden) | <b>NO</b>                  | Not mentioned                                                                     |
| Memberships for all Town residents                    | <b>NO</b>                  | Not mentioned                                                                     |
| Public restrooms in commercial area                   | <b>NO</b>                  | Not mentioned                                                                     |
| Off-street parking in commercial area                 | <b>NO</b>                  | Nothing beyond existing B-1 rules                                                 |
| Roundabout on Irvington Road                          | <b>NO</b>                  | Not mentioned                                                                     |
| Existing canopy tree preservation                     | <b>NO</b>                  | Not mentioned                                                                     |
| Perimeter recreational easement / buffers             | <b>NO</b>                  | Not mentioned                                                                     |
| "Enhanced design standards"                           | <b>NO</b>                  | Only a street cross-section (§150.066(B)); no architectural standards             |
| +\$200,000 annual tax revenue                         | <b>NO</b>                  | Slide only; no model provided                                                     |
| Sidewalks within the development                      | <b>PARTIAL</b>             | 5 ft if built; one side in typical section; section "may be used" (§150.066)      |
| 30% open space                                        | <b>YES</b>                 | §150.063, but "open space" is undefined                                           |
| Four lot types with sizes                             | <b>YES</b>                 | §150.064(B); cottage minimum is 6,500 sf in text vs. 1/8 acre (5,445 sf) on slide |
| "Existing zoning does not need to change"             | <b>CONTRADICTED</b>        | §150.061(B): VO standards "shall supersede" the underlying district               |

**Table B: How many lots the text allows**

*Assumptions in source [9]. The proposed text sets no cap; these are the numbers its own lot sizes produce.*

| Scenario                                                                                                                      | Net lottable acres | Residential lots |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------|
| Draft VO, roads/right-of-way at 15% of residential land                                                                       | 71.9               | <b>≈ 235</b>     |
| Draft VO, roads/right-of-way at 20% of residential land                                                                       | 67.7               | <b>≈ 222</b>     |
| September 8 site plan (151 lots, per the legend on the applicant's site plan slide [3])                                       | n/a                | <b>151</b>       |
| Already approved and recorded on this land: Vineyard Meadow (35) + Irvington Farms (17), ~2-acre lots (Comp. Plan p. 34 [11]) | n/a                | <b>52</b>        |
| If the whole tract were R-1 at 1-acre lots, 18% roads, no open-space requirement                                              | ≈ 105              | <b>≈ 105</b>     |

## Key terms in plain language

|                                          |                                                                                                                                                                                                                                                                                   |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Zoning district (R-1, R-2, B-1)</b>   | The rulebook category every parcel already has. R-1 = single-family on at least 1 acre; R-2 = at least 2 acres; B-1 = business. Sets lot size, setbacks, height, and allowed uses.                                                                                                |
| <b>Overlay district</b>                  | An extra layer of rules on top of existing zoning. Normally adds standards (design, sidewalks) without changing how many houses are allowed.                                                                                                                                      |
| <b>"Supersede"</b>                       | Replace. The draft says its rules replace the existing ones wherever they differ (§150.061(B)). That one word turns an overlay into a rezoning.                                                                                                                                   |
| <b>Text amendment vs. map amendment</b>  | A text amendment changes the words of the rulebook; a map amendment changes which parcels a rule applies to. This proposal does both, because the rule includes its own map. Parcel-specific changes require newspaper ads and letters to adjoining owners (Va. Code §15.2-2204). |
| <b>Council-initiated vs. owner-filed</b> | Who the applicant is. An owner-filed rezoning has an application, fee, owner disclosure, concept plan, and usually proffers. When Council initiates, it is amending its own code; there is no applicant and none of those attach.                                                 |
| <b>Proffers</b>                          | Written, legally binding promises a landowner offers with a rezoning ("the pool is built before the 50th lot sells"). Enforceable by the Town. Available only on owner-filed rezonings (Va. Code §15.2-2296 et seq.).                                                             |
| <b>By-right</b>                          | Once the rules allow something, the owner can do it with staff-level approvals, with no more public hearings or Council votes.                                                                                                                                                    |
| <b>Conditional Use Permit (CUP)</b>      | Case-by-case approval by the Planning Commission and Council with conditions attached. Today every B-1 business use in Irvington requires one (§154.085(B)).                                                                                                                      |
| <b>Plat / site plan; density / yield</b> | The engineering drawings that come after zoning, approved by staff. Yield is how many lots the rules allow; "gross" acres is the whole tract, "net" is what remains after open space and roads.                                                                                   |
| <b>Setback, frontage, flag lot</b>       | Setback: minimum distance from property line to building (the draft cuts front 50→30 ft and side 25→10 ft). Frontage: lot width at the street (100 ft today → 60 ft, reducible to 30). A flag or pipestem lot reaches the street by a narrow strip.                               |
| <b>CBPA / RPA</b>                        | Chesapeake Bay Preservation Act. A Resource Protection Area is the 100-ft no-build buffer along tidal waters, wetlands, and perennial streams, unbuildable regardless of zoning.                                                                                                  |
| <b>VDH; community sewer system</b>       | Virginia Department of Health approves septic systems and wells; no plat records without it. A community system (package plant or shared drainfield) serves a whole neighborhood and needs a permanent owner and operator.                                                        |
| <b>VDOT / SR 200</b>                     | Irvington Road is State Route 200, a VDOT primary. VDOT, not the Town, controls entrances and any roundabout.                                                                                                                                                                     |
| <b>HOA; "dedicated"</b>                  | The homeowners' association pays to maintain private streets, open space, and amenities. "Dedicated to the Town" means given to the Town, which then pays to maintain it.                                                                                                         |
| <b>Comprehensive Plan</b>                | The Town's adopted long-range plan (updated Dec. 12, 2024). State law requires the Planning Commission to review zoning amendments for consistency with it.                                                                                                                       |

## 1. What the proposed ordinance changes

| Provision                             | Proposed ordinance [2]                                                                                                                      | Current Town Code, Ch. 154 [10]                                                                      |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>Residential lot sizes</b>          | Cottage 6,500–12,500 sf · Medium 12,501–18,700 · Small Farm 18,701–46,000 · Large Farm 46,001–74,600 (§150.064(B))                          | R-1 ≥ 1 acre; R-2 ≥ 2 acres; two-family ≥ 1.5 acres (§154.052)                                       |
| <b>Lot-type mix (by count)</b>        | Cottage 20–30% · Medium 30–50% · Small Farm 10–35% · Large Farm 5–15% (§150.062(B))                                                         | n/a                                                                                                  |
| <b>Setbacks (front / side / rear)</b> | Cottage & Medium 30/10/20 · Small Farm 50/10/35 · Large Farm 50/25/35 (§150.064(D))                                                         | 50 ft from right-of-way / 25 / 35 (§§154.053, 154.055)                                               |
| <b>Lot width / frontage</b>           | 60 ft; administrator may reduce up to 50% (§150.064(C)). Commercial 30 ft, may reduce to 20 ft (§150.065(C))                                | 100 ft at the setback line (§154.054)                                                                |
| <b>Residential height</b>             | 35 ft; up to 45 ft with side yards +1 ft per ft over 35, i.e., 20 ft side yards (§150.064(E))                                               | 35 ft; 45 ft only with 45 ft side yards +1 ft per ft, i.e., 55 ft (§154.056(A))                      |
| <b>Residential uses</b>               | R-1 permitted uses per §154.051(E) (§150.064(A))                                                                                            | R-1 permits one two-family dwelling per lot; R-2 prohibits them (§154.051(E)(2)). Slide said R-2 [3] |
| <b>Commercial uses</b>                | B-1 uses, called "permitted uses," plus residential above ground-floor commercial with no unit cap (§150.065(A))                            | Every B-1 use requires a Conditional Use Permit, plus another for expansion or change (§154.085(B))  |
| <b>Commercial yard next to homes</b>  | 10 ft from any side or rear line; no residential-adjacency rule (§150.065(D)(2))                                                            | 35 ft adjoining a residential district; PC/Council may add screening (§154.088(C), §154.090(C))      |
| <b>Commercial lot size / height</b>   | None (fn. defers to VDH) / 45 ft (§150.065(B),(E))                                                                                          | None except per health official / 45 ft (§§154.087, 154.089), unchanged                              |
| <b>Open space</b>                     | 30% of gross acreage; undefined; may include amphitheaters / event spaces (§150.063)                                                        | None required                                                                                        |
| <b>Streets &amp; sidewalks</b>        | Streets ≥ 22 ft; sidewalks ≥ 5 ft; sidewalks outside ROW may be dedicated to Town for maintenance; typical section "may be used" (§150.066) | n/a                                                                                                  |

Current-code citations are from a third-party mirror of Chapter 154 [10]; confirm each against the official Municode text before quoting at a hearing.

## 2. Critical concerns

■ **CRITICAL** legality, density, or enforceability ■ **SIGNIFICANT** material cost, infrastructure, or precedent ■ **ADDITIONAL** clarifications to request

### CRITICAL C1 "Supersede," not "on top of": a rezoning packaged as an overlay

**Why it matters:** The letter says the rules sit "on top of" existing zoning; the slides say "the existing zoning does not need to change." The text says the opposite: **"The standards of the VO District shall supersede the standards of the underlying zoning district"** (§150.061(B)). That replaces the R-1/R-2 standards for every parcel inside the line: minimum lot 2 acres → 6,500 sq ft; lot width 100 → 60 ft; front setback 50 → 30 ft; side yard 25 → 10 ft. Legally it is a zoning map amendment (Va. Code §15.2-2285) with the same hearings and adjoining-owner notice as any rezoning (§15.2-2204(B)). On the recording, Mr. Patterson says the overlay sits on top of the zoning and does not change it (2:26), and later concedes the request is different from what is in place (1:43:31).

**Ask:** (1) Does the Town Attorney agree this is functionally a rezoning of the mapped parcels? (2) Which R-1, R-2, and B-1 standards would remain in force inside the district?

Source: Proposed ordinance §150.061(B), PDF p. 2 [2]; letter p. 1 [1]; slide "What is a Village Overlay District" [3]; Town Code §§154.052–154.055 [10]; Va. Code [6]; recording [14].

### CRITICAL C2 No cap on lots or dwelling units

**Why it matters:** The text controls lot-size ranges, a lot-type mix by count, and 30% open space; nothing caps the total. At the ordinance's own minimum lot sizes and maximum cottage share, 128 acres yields **roughly 220–235 lots** (Table B) against the **52 two-acre lots already approved and recorded on this land** (Comp. Plan p. 34), more than four times the existing entitlement; even one-acre R-1 across the whole tract would be about 105. Apartments above commercial are separately uncapped (§150.065(A)(1)(a)). The September 8 site plan shows 151 lots (its own legend), nearly three times the existing entitlement, and it is not referenced by or binding on the text. Ms. Wesselman confirmed the tract is all R-2

(59:46) and that the residential portion is 113 acres (12:10). The consultant said his typical clients would propose 6,000 sq ft lots; the text's own minimum is 6,500 (51:27). The Town today has 612 lots, 219 of them vacant.

**Ask:** (1) What is the maximum number of lots and dwelling units, including apartments? (2) Will the applicant accept a hard cap written into §150.062 or §150.064? (3) Why does a town with 219 vacant lots need 200+ more?

Source: Proposed ordinance §§150.062(B), 150.063, 150.064(B), 150.065(A) [2]; slides [3]; Comp. Plan p. 34 [11]; yield estimate [9]; recording [14].

### CRITICAL C3 The September 8 benefits are not in the proposed ordinance

**Why it matters:** Nothing obligates any amenity; §150.063(A)(3) says open space "may" be improved. The community center, resident memberships, public restrooms, off-street parking, roundabout, tree retention, perimeter easement, "enhanced design standards," and the \$200,000/yr estimate exist only on slides (Table A). **There is no phasing, bond, or condition**, and because the request is Council-initiated (C4) there is no proffer vehicle either. Every promise made on September 8 would be unenforceable the day after adoption. On the recording the consultant describes the strategy as getting the controls in place, then figuring out the development within them (41:17, 45:15). House plans and any architectural review: not decided (55:14). Selling lots to a homebuilder versus building houses: not decided (1:01:04). Target market: none (56:00). The event center: whatever the town wants (22:19). Open space goes to the HOA, not the public (1:02:48), and does not all have to be improved (1:30:37).

**Ask:** (1) Will each amenity be written in as a requirement with phasing, proffered on an owner-filed rezoning, or approved as a binding master plan alongside the overlay? (2) For memberships: who sets the price, can a future HOA end resident access, and what recorded document guarantees it?

Source: Proposed ordinance §150.063(A)(3) [2]; slides "Community Center Concept," "Benefits to Irvington" [3]; recording [14].

### CRITICAL C4 A Council-initiated amendment means no applicant, no proffers, and by-right development afterward

**Why it matters:** The letter asks Council to "initiate an amendment." Va. Code §15.2-2286(A)(7) lets amendments begin by Council resolution, Planning Commission motion, or owner petition; proffers (§§15.2-2296–2303) attach only to owner-filed rezonings. After adoption, plat approval is ministerial (§15.2-2259): a compliant plat must be approved. So: nobody is bound to any promise; no further hearings, votes, or conditions on the actual plan; and the entitled land can be sold to any builder. **Adoption is the point of no return.** The consultant confirmed that the zoning runs with the land and that lots, or the commercial land, could be sold to anyone (58:03, 1:01:07, 1:04:39).

**Ask:** (1) Why is this framed as Council-initiated rather than an owner-filed rezoning with proffers? (2) Who owns the parcels inside the dashed line, and will the owners file?

Source: Letter p. 1, final paragraph [1]; Va. Code [6]; recording [14].

### CRITICAL C5 Sewer and water are unaddressed

**Why it matters:** Irvington has no public sewer. Residents and businesses are on individual septic systems (Comp. Plan pp. 41–42); the 2022 Sewer Committee found on-site systems adequate "given our relatively low density of housing." A 6,500 sq ft lot cannot hold a house, a well, and a drainfield with reserve area. The only reference in six pages is footnote 1 deferring to VDH, and the overlay's lot table would supersede §154.052(A), which lets the administrator require larger lots at the health official's request. A Town Center sewer line to Kilmarnock's plant is at the study stage, funded by the 3% meals tax "if affordable and supported"; Plan comments warned sewer "could bring excessive residential and commercial development." On the recording the consultant calls sewer and water "a problem," says the options are a Kilmarnock line or engineered systems on site, and says they do not yet know which (36:46, 1:28:33). Aqua Virginia was mentioned for water (40:01), and fire hydrants every 500 ft were promised (1:13:38), which requires a pressurized public water system.

**Ask:** (1) What is the wastewater system, who owns and operates it in year 20, and what financial assurance covers failure? (2) Is the project premised on the Town building the Route 200 sewer line, and who pays for extension and capacity? (3) Has VDH or DEQ reviewed the concept? Public water or wells?

Source: Proposed ordinance §150.065(B) fn. 1 [2]; Town Code §154.051(D), §154.052(A) [10]; Comp. Plan pp. 41–42, Strategy C.3 p. 51 [11]; recording [14].

### CRITICAL C6 "Open space" is undefined and may be land that cannot be built on anyway

**Why it matters:** §150.063 requires 30% of gross acreage but never defines open space or excludes RPA buffers, wetlands, floodplain, stormwater facilities, or road buffers. The site drains to Old Mill Cove and Carters Creek, so 100-ft RPA buffers apply; the plan's "green space" tracks the stream corridor. The section expressly permits "amphitheaters and other similar event spaces", next to Vineyard Grove and Park Place, and measures the 30% across the whole district, not per owner or phase. The slides said 40% and 51 acres (13:27); Mr. Patterson said 30% "for sure" (26:09), which is what the text requires.

**Ask:** (1) Define open space and exclude regulated land; state the buildable vs. regulated share. (2) Measure per subdivision, owner, and phase so one owner's open space cannot satisfy another's obligation. (3) Prohibit event venues adjacent to existing residences.

Source: Proposed ordinance §150.063 [2]; site plan legend and slide Goal G.1 (CBPA) [3]; recording [14].

### **CRITICAL C7 Every business in the commercial area may lose Conditional Use Permit review**

**Why it matters:** Today every B-1 use (restaurants, hotels and inns, retail, offices, marinas, assembly halls, clubs) requires a Conditional Use Permit, and another for any expansion or change (§154.085(B)). That is the Town's tool for reviewing each business and attaching conditions. The proposed text calls the same uses "permitted uses" (§150.065(A)(1)) and supersedes the underlying district. **Every one becomes by-right, with no Planning Commission or Council review of any individual business.** This is intended, not an ambiguity: when a resident raised it, the consultant agreed and said, "we are asking to proceed without a conditional use permit" (42:10–44:08).

**Ask:** (1) Confirm in writing whether §154.085(B) CUP review survives inside the overlay, for B-1 uses and for mixed-use buildings. (2) Confirm the §154.086(C) prohibition on formula restaurants and formula retail still applies. (3) If CUP review is being removed, say so plainly; it is a major policy change on its own.

Source: Proposed ordinance §150.065(A) [2]; Town Code §154.085(B), §154.086(B)–(C) [10]; recording [14].

### **CRITICAL C8 The adopted Comprehensive Plan says these tracts are to stay low-density**

**Why it matters:** The letter claims the Plan "identifies places for mixed-use and single-family detached homes" here. The Plan adopted December 12, 2024 says the northern and eastern undeveloped tracts **"are to be developed at a lower density (one dwelling unit per 2 acres of land)"** and that this **"serves to preserve the small-town and rural atmosphere in Irvington"** (p. 28). The Vision Statement calls for "limited density and compatible architecture" (p. 5). Map 17 designates this tract Single Family Residential and confines Mixed-Use to the existing town center around King Carter Drive (p. 55). Strategy A.2 calls for "appropriate densities" for "organic growth" (p. 50). The Planning Commission must review for consistency (Va. Code §15.2-2285). When a resident raised the tension with the Plan, Mr. Patterson acknowledged the request is different from what is in place (1:41:57–1:43:31).

**Ask:** (1) A written staff and Planning Commission consistency finding against pp. 5, 28, 34, and 55 before initiating anything. (2) Does the proposed commercial strip fall inside Map 17's Mixed-Use area? (3) Ask the applicant to cite the page of the Plan that supports 6,500 sq ft lots on a tract the Plan assigns to two-acre zoning.

Source: Letter p. 1 [1]; Comp. Plan pp. 5, 28, 50, 54–55 [11]; Va. Code §15.2-2285 [6]; recording [14].

## **3. Significant concerns**

| #         | Concern and why it matters                                                                                                                                                                                                                                                                                                                     | What to ask for                                                                                                              | Source     |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>S1</b> | <b>Residential height: 45 ft houses with 20 ft side yards.</b> Today a house may exceed 35 ft only with 45 ft side yards plus 1 ft per ft over 35, which is 55 ft for a 45 ft house (§154.056(A)). The text starts at 10 ft: a three-story house with 20 ft side yards on a 60 ft lot (§150.064(E)). Commercial 45 ft is unchanged (§154.089). | Drawings of the maximum legal envelope on a 6,500 sq ft lot, not the example house.                                          | [2][10]    |
| <b>S2</b> | <b>Administrative frontage cuts invite flag and pipestem lots.</b> The administrator may cut residential frontage by 50% (to 30 ft) and commercial to 20 ft with no Council or BZA review (§150.064(C)(2), §150.065(C)(2)).                                                                                                                    | Remove the reduction, or require a variance or Council approval per instance.                                                | [2]        |
| <b>S3</b> | <b>Duplexes on 6,500 sq ft lots: possible as drafted.</b> R-1 permits one two-family dwelling per lot; R-2 prohibits them (§154.051(E)(2)); the 1.5-acre duplex minimum (§154.052(B)) is superseded by the lot table. The slide said R-2 uses; the text says R-1, and the difference is exactly whether duplexes are allowed.                  | Confirm whether duplexes are allowed on cottage or medium lots; reconcile R-1 vs. R-2.                                       | [2][3][10] |
| <b>S4</b> | <b>The Town takes on maintenance.</b> Sidewalks in easements "dedicated to the town for maintenance" (§150.066(A)(1)(c)); open-space improvements may be "dedicated for public space" (§150.063(A)(2)); street ownership (VDOT vs. private HOA) is unstated.                                                                                   | Projected annual maintenance cost; whether streets meet VDOT acceptance; how a private HOA would be funded.                  | [2]        |
| <b>S5</b> | <b>The commercial subdistrict only has to be designated, not built.</b> "Must consist of" both subdistricts; commercial ≥ 5 acres; no phasing (§150.062). Residential first, commercial "eventually," complies.                                                                                                                                | What commercial must be complete before residential plats are recorded? (A phasing trigger or bond is the usual compromise.) | [2]        |
| <b>S6</b> | <b>The \$200,000/yr revenue claim is unsupported.</b> Meals and lodging tax depend on the commercial being built, the least certain piece. No model, assumptions, or service-cost side was shown; on the recording the presenter called it a back-of-the-envelope estimate, not guaranteed (26:22).                                            | The fiscal model, gross and net; effect on the 219 existing vacant lots.                                                     | [3][14]    |

| #          | Concern and why it matters                                                                                                                                                                                                                                                                                                                                                                                                                    | What to ask for                                                                                                                                                                         | Source     |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>S7</b>  | <b>Traffic, access, and the SR 200 roundabout.</b> The roundabout appears only on slides; the Broadway connection into Vineyard Grove / Spring Street creates a cut-through; the typical section shows a sidewalk on one side and is optional ("may be used," §150.066(B)). No traffic study yet; VDOT review would come later (48:12); one entrance at the circle plus Irvington Farm Road (1:05:41); VDOT funding is two years out (15:33). | Traffic study and VDOT correspondence; who funds the roundabout; sidewalks both sides and connected to Town; pedestrian crossings of Irvington Road; emergency access on 22 ft streets. | [2][3][14] |
| <b>S8</b>  | <b>Precedent.</b> Closing slide: the plan "provides a blueprint for the remaining large undeveloped parcels."                                                                                                                                                                                                                                                                                                                                 | Will the VO text be available to other parcels, and by what process?                                                                                                                    | [3]        |
| <b>S9</b>  | <b>A maximum lot size is a density floor.</b> No lot may exceed 74,600 sf (§150.064(B)(1)); larger lots are prohibited inside the district.                                                                                                                                                                                                                                                                                                   | Why does the district need a maximum lot size?                                                                                                                                          | [2]        |
| <b>S10</b> | <b>The 35 ft buffer between businesses and homes shrinks to 10 ft.</b> Today a B-1 yard adjoining a residential district is 35 ft and PC/Council may require screening (§154.088(C), §154.090(C)); the text sets 10 ft with no adjacency rule (§150.065(D)(2)).                                                                                                                                                                               | Restore the 35 ft buffer and the screening authority.                                                                                                                                   | [2][10]    |
| <b>S11</b> | <b>Whole use lists are imported instead of a purpose-written list.</b> R-1 includes schools, churches, parks, farm wineries and, by CUP, agriculture, home occupations, and short-term rentals (§154.051(E)); B-1 includes hotels and motels, hotel condominiums, marinas, service stations, gas-selling stores, theaters and assembly halls, clubs, and plumbing supply (§154.086(B)). Zoning is judged by what it permits.                  | Write a specific Village Residential and Village Center use list into the ordinance.                                                                                                    | [2][10]    |
| <b>S12</b> | <b>The two subdistricts are not mapped.</b> Only the outer boundary is mapped; subdistricts are defined by a parcel's "primary use" (§150.062). Nothing fixes the commercial area to the location shown, or prevents a parcel from switching.                                                                                                                                                                                                 | Show both subdistricts on the ordinance figure, keyed to parcel IDs; state who decides and whether it can change.                                                                       | [2]        |
| <b>S13</b> | <b>No maximum on commercial acreage.</b> The text sets a 5-acre floor for the commercial subdistrict and no ceiling (§150.062(C)). When a resident pointed out the district could be 100% commercial, the consultant called it an oversight and offered to add a cap (1:44:05).                                                                                                                                                               | Write a maximum commercial acreage and square footage into the text.                                                                                                                    | [2][14]    |

#### 4. Additional questions

| #         | Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Source             |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>A1</b> | <b>Who is behind The Renaissance Group, LLC, on the record?</b> The September 8 presentation was given by Julien Patterson and Terri Wesselman, Irvington residents who own Object Arts and More, Irvington Home Goods, Sweet Tea Boutique, The Office Bistro, and Compass Entertainment Complex [12]; Mr. Patterson founded OMNIPLEX World Services and has chaired the Virginia Economic Development Partnership and the Virginia Chamber of Commerce [13]. The written submission, however, names only "The Renaissance Group, LLC" and a Project Manager (John Brabrand, best reading of the signature), and on the recording Ms. Wesselman said Renaissance Group does not own the land; it is held by a different LLC (1:03:42). The request therefore does not come from the landowner. Ask that the record state the LLC's members and managers; who owns each parcel inside the dashed line and whether the LLC holds title or an option; whether the entitlement is assignable; and which parcels owned by the principals or their existing businesses fall inside the proposed commercial subdistrict (the commercial plan drawing labels The Office Bistro within it), since those uses would move from Conditional Use Permit to by-right under C7. | [1][3][12][13][14] |
| <b>A2</b> | <b>Drafting errors.</b> "TITLE XC" (Chapter 154 is in Title XV); sections numbered §150.060–.066 inside Chapter 154; two different tables both labeled Figure 150.061-02; a law-firm document number in the footer. On the recording the consultant said he had not studied the portion of the Irvington ordinance in question (1:21:38). Ask: adapted from which locality's ordinance, and which firm drafted it?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | [1][2][14]         |
| <b>A3</b> | <b>The district is mapped by a dashed line on a figure.</b> No tax parcel IDs, acreage, or legal description (§150.061(A)). Ask for a parcel-by-parcel table (ID, acreage, owner, current zoning, proposed subdistrict); identify parcels owned by others inside the line and anything that becomes nonconforming; confirm §15.2-2204(B) notice to abutting owners.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | [2][6]             |
| <b>A4</b> | <b>The lot-mix percentages: measured across what?</b> §150.062(B)(2) counts against "the total amount of parcels within the VO District" without saying whether that is the whole overlay, each subdivision, owner, or phase, or whether existing parcels count. Define the denominator and an accounting mechanism; exclude commercial parcels.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [2]                |

| #  | Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Source     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| A5 | <b>Where are the design standards?</b> The text contains no standards for materials, roof form, porches, garage placement, tree canopy, or lighting; the slides show stock house photographs. On the recording, house plans and an architectural review board were described as not yet decided, with any control to come through HOA documents rather than the ordinance (55:14). Ask where the "enhanced design standards" are and who reviews compliance: the Town or a private review board.                                               | [2][3][14] |
| A6 | <b>"Inn cottages" and "artist village."</b> How are they classified under B-1 §154.086(B) and the Town's short-term-rental conditional-use regime?                                                                                                                                                                                                                                                                                                                                                                                             | [3][5]     |
| A7 | <b>Buffers to existing neighbors.</b> Vineyard Grove, Park Place, Spring Street, and Old Mill Cove properties about the tract; the perimeter "recreational easement" is on slides only. Specify width, ownership, public access, and maintenance in the text.                                                                                                                                                                                                                                                                                  | [3]        |
| A8 | <b>What is already approved on this land.</b> The Plan records recorded subdivisions here: Vineyard Meadow, 35 lots of ~2 acres along White Fences Road; Irvington Farms, 17 lots of ~2 acres along Irvington Farms Road (one built); and an unnamed 10-lot subdivision east of 4693 Irvington Road (p. 34). The narrow parcel lines on the applicant's figure are these lots. Ask whether the recorded plats would be vacated, whether any lots were sold to third parties, and whether this relates to the PUD opposed in the 2018 election. | [11][8][7] |
| A9 | <b>Stormwater.</b> No facilities are shown; roughly 200 lots plus roads and parking drain to shellfish waters. Ask where stormwater facilities go and whether they count toward the 30%.                                                                                                                                                                                                                                                                                                                                                       | [2][3]     |

## 5. What to require before Council initiates anything, and whether each ask is normal

**Bottom line:** nearly everything here would be automatically required if the proposal came in as an owner-filed rezoning. The list is long because the applicant chose a process that skips the application. **REQUIRED** = demanded by state law or the approval process; **STANDARD** = what any comparable rezoning includes; **PARTLY BEYOND** = goes past the usual and is fair to negotiate.

| #  | Request                                                                                                                                                 | Normal for a project this size? | Why                                                                                                                                                                      |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | A hard maximum lot and dwelling-unit count in the text, including apartments above commercial.                                                          | <b>STANDARD</b>                 | Virtually every Virginia planned-development or cluster ordinance states a maximum density; its absence is the unusual part.                                             |
| 2  | A definition of open space excluding RPA, wetlands, floodplain, stormwater facilities, and road buffers; no event venues next to homes.                 | <b>STANDARD</b>                 | Routine drafting; limits on noise-generating uses next to homes are a common performance standard.                                                                       |
| 3  | The wastewater and water plan, with VDH/DEQ correspondence and long-term ownership and financial assurance.                                             | <b>REQUIRED</b>                 | No plat records without VDH approval; a community plant needs a DEQ permit and operations plan.                                                                          |
| 4  | Every September 8 amenity written in as a requirement with phasing, or proffered on an owner-filed rezoning.                                            | <b>STANDARD / PARTLY BEYOND</b> | Binding a developer to what it presented is standard. Requiring commercial before residential is heavier than usual; a phasing trigger or bond is the common compromise. |
| 5  | Adopt the overlay, if at all, only with a binding master development plan (owner-filed rezoning with a proffered concept plan).                         | <b>STANDARD</b>                 | How comparable planned developments are approved in Virginia; it converts the drawings into enforceable conditions.                                                      |
| 6  | Written confirmation of whether B-1 Conditional Use Permit review and the formula-business ban survive inside the overlay.                              | <b>REQUIRED</b>                 | The Town cannot adopt text without knowing whether it repeals its own review process (§154.085(B), §154.086(C)).                                                         |
| 7  | Tax parcel IDs, acreage, current zoning, and ownership for all land inside the dashed line.                                                             | <b>REQUIRED</b>                 | Every map amendment needs a legal description of the land it covers.                                                                                                     |
| 8  | A written staff and Planning Commission consistency finding against the adopted Comprehensive Plan (pp. 5, 28, 34, 55).                                 | <b>REQUIRED</b>                 | Va. Code §15.2-2285. The Plan assigns these tracts to two-acre zoning to preserve rural character (p. 28).                                                               |
| 9  | A one-page table of maximums: houses, duplex units, apartments, inn rooms, commercial sq ft, wastewater capacity, parking, usable protected open space. | <b>STANDARD</b>                 | Rezoning evaluations are on maximum build-out. If no one can fill in the table from the text, the text is not ready.                                                     |
| 10 | A traffic study and VDOT's position on the SR 200 roundabout and street acceptance.                                                                     | <b>STANDARD</b>                 | Routine for this size; whether VDOT's formal Chapter 527 review triggers depends on trip                                                                                 |

| #  | Request                                                                                                                                       | Normal for a project this size? | Why                                                                                                                                                                      |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                                                               |                                 | counts, but the Town can require a study regardless.                                                                                                                     |
| 11 | The fiscal model behind the \$200,000/yr figure, gross and net.                                                                               | REASONABLE                      | It is the developer's own claim; small towns often lack staff to model it themselves.                                                                                    |
| 12 | A side-by-side of R-1, R-2, and B-1 standards against the VO text, prepared by staff.                                                         | STANDARD                        | Normal staff work for any zoning amendment.                                                                                                                              |
| 13 | The members and managers of The Renaissance Group, LLC, and the owner of each parcel, stated on the record; site-control status; the builder. | STANDARD / PARTLY BEYOND        | Owner identity and site control are on every application (Va. Code §15.2-2289 permits LLC-member disclosure). Naming the builder is beyond the norm, a courtesy request. |
| 14 | A line-by-line legal and codification review by the Town Attorney.                                                                            | REQUIRED                        | The draft has title, numbering, and figure-label errors (A2).                                                                                                            |
| 15 | An evaluated lower-density alternative: concentrate homes on part of the tract with a conservation easement on the rest.                      | STANDARD                        | Alternatives analysis is routine. Asked by a resident, the consultant said it could be done (1:28:03).                                                                   |

## 6. Process notes

- The Town's September 2 announcement: the September 8 session was organized by Renaissance Group and is not a Town public hearing; the Town will provide information if formal proceedings are initiated. [4]
- Creating and mapping a new district requires Planning Commission review and public hearings before both the Commission and Council, with written notice to adjoining owners. Va. Code §15.2-2285, §15.2-2204 [6]
- The Planning Commission meets the first Tuesday of each month at 6:30 p.m.; Town Council holds a regular called meeting September 10, 2026 at 6:30 p.m., Irvington Baptist Church. [5]

Respectfully submitted,

**Evan Cotter**

Irvington resident and business owner  
Irvington, Virginia · September 9, 2026

## Sources

- [1] Letter, The Renaissance Group, LLC to Irvington Town Council, August 14, 2026, signed John Brabrand, Project Manager; pp. 1–2 of the "Renaissance Group Zoning Request" PDF posted by the Town: <https://irvingtonva.gov/wp-content/uploads/2026/09/Renaissance-Group-Zoning-Request.pdf>
- [2] Proposed ordinance text, "Village Overlay (VO) District," §§150.060–150.066, pp. 1–6 of the same PDF (PDF pp. 3–8).
- [3] The Renaissance Group presentation, September 8, 2026, Compass Entertainment Center (photographs of slides): site plan and legend; "Example of Lots Used in Village Overlay Plan for Test Fit"; "Irvington Residential Zoning Lot Criteria"; "King Carter Drive Frontage & Setbacks"; "What is a Village Overlay District"; "Existing Irvington Parcel Size Analysis"; "Existing Parcel Sizes"; "House Examples for Lot Sizes"; "Community Center Concept"; "Commercial Area Draft Plan"; "Proposed Village Overlay District Components"; "Village Overlay District Meets Comprehensive Plan Goals"; "Vision & Design Principles — Benefits to Irvington"; "Conclusion & Discussion."
- [4] Town of Irvington, "ANNOUNCEMENT: Information Regarding the Sept. 8 Presentation at Compass," September 2, 2026: <https://irvingtonva.gov/2026/09/02/announcement-information-regarding-the-sept-8-presentation-at-compass/>
- [5] Town of Irvington, Planning & Zoning page (meeting schedule; Comprehensive Plan link; Sewer Committee; STR conditional-use permit): <https://irvingtonva.gov/zoning/>
- [6] Code of Virginia §15.2-2204 (notice), §15.2-2259 (plat approval), §15.2-2285 and §15.2-2286 (zoning amendments), §15.2-2289 (disclosure), §15.2-2296 et seq. (proffers): <https://law.lis.virginia.gov/vacodefull/title15.2/chapter22/>
- [7] Wine Trail Traveler, "White Fences Vineyards" (earlier report of a 25-home "Vineyard Meadows" plan; superseded by [11]): <http://winetrailtraveler.com/virginia/whitefences.php>
- [8] Rappahannock Record, "Irvington candidates respond to survey," April 2018: <https://rrecord.com/irvington-candidates-respond-to-survey/>
- [9] Yield estimate: my calculation. 128 acres gross [3]; 30% open space = 38.4 ac (§150.063); commercial at the 5-acre minimum (§150.062(C)); roads 15–20% of residential land; lots at the ordinance minimums with the maximum cottage/medium mix (§150.062(B)): 30% at 6,500 sf, 50% at 12,501, 15% at 18,701, 5% at 46,001, weighted average 13,306 sf. Not an engineered yield.

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- [10]** Town of Irvington Code, Chapter 154 (Zoning), as mirrored by Zoneomics: R-1/R-2 §§154.050–154.059 ([https://www.zoneomics.com/code/irvington-VA/chapter\\_4](https://www.zoneomics.com/code/irvington-VA/chapter_4)); B-1 §§154.085–154.092 ([https://www.zoneomics.com/code/irvington-VA/chapter\\_6](https://www.zoneomics.com/code/irvington-VA/chapter_6)). Third-party mirror; confirm against <https://library.municode.com/va/irvington> before quoting at a hearing.
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- [11]** Town of Irvington Comprehensive Plan, 2023 Update, adopted December 12, 2024 (printed page numbers): Vision Statement p. 5; Existing Land Use and Current Zoning pp. 27–28; Approved Development p. 34; Utilities (sewer) pp. 41–42; Goals and Strategies pp. 50–52; Future Land Use pp. 54–55 (Map 17).  
[https://irvingtonva.gov/wp-content/uploads/2025/02/K.1.Town-of-Irvington-Comprehensive-Plan-2023-Update\\_11\\_20\\_24.pdf](https://irvingtonva.gov/wp-content/uploads/2025/02/K.1.Town-of-Irvington-Comprehensive-Plan-2023-Update_11_20_24.pdf)
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- [12]** Virginia Living, "A Couple's Small-Town Makeover," Sept. 8, 2025 (October 2025 issue):  
<https://virginialiving.com/culture/a-couples-small-town-makeover/>
- 
- [13]** Blue Ridge Bankshares Inc., Board of Directors, "Julien G. Patterson":  
<https://www.blueridgebankshares.com/governance/board-of-directors/person-details/default.aspx?ItemId=c13e3914-0122-4d85-ab01-5072975db50a>
- 
- [14]** Irvington public interest meetings (independent volunteer archive), "Compass Entertainment Complex," September 8, 2026, 1 h 50 m: audio recording and computer-generated transcript with timestamps. <https://irvingtonmeetings.com/compass-entertainment-complex> (audio: <https://archive.org/details/irvington-meetings-compass-entertainment-complex>). Timestamps in this document refer to that recording. The archive warns the transcript contains errors and speaker labels are guesses; the audio is the authoritative record. Statements are paraphrased and should be checked against the audio before being quoted at a hearing.
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