



*West Neck
Community Association*

The Honorable Robert M. Dyer
City of Virginia Beach
2401 Courthouse Drive
Virginia Beach Virginia, 23456

January 25, 2022

Dear Mayor Dyer:

This letter from the West Neck Community Association, Inc. is a follow-up to our November 24, 2020 letter that solicited your protection for our 936 home community by maintaining the stated policies of the City's COMPREHENSIVE PLAN, specifically the policy regarding development / redevelopment within the TRANSITION AREA including the TRANSITION AREA Design Guidelines, against any attempts at development / redevelopment.

As we discussed previously The Villages at West Neck and The Signature at West Neck golf course were approved by City Council in 1999 as a package deal. Basically, the developer was given permission to significantly reduced lot size due to the corresponding recreational open space being provided by the construction of a high end golf course. In the ensuing years the eight villages that comprise the Villages at West Neck community were built out and the superbly designed and meticulously maintained Arnold Palmer Signature Design golf course matured. Then business losses by the developer / owner culminated in the abrupt closure of the course at the end of September 2019.

The new owner, WC Capital LLC, an unknown foreign entity (registered in New Mexico), has been unwilling to sell to qualified golf course operators. WC Capital LLC has failed to maintain the golf course grounds, cut off our community's access to irrigation for our common areas, constructed (without permit) what could only be described as a spite fence and planted trees throughout one of the fairways all of which we have attempted to correct through our attorney's notification of violations of our Associations court recorded Declarations of Covenants, Conditions and Restrictions. Our attempts at required mitigation has proved fruitless. Concurrently, WC Capital LLC has also balked at the City's ability to enforce basic Code maintenance requirements and that issue is now scheduled to be litigated this April in Federal Court. WC Capital LLC is also scheduled for an early February 2022 appeal to your Zoning Administrator's determination of a violation regarding the eight foot solid fence construction without a permit.

We believe WC Capital did not accomplish sufficient due diligence in their purchase which has impacted their obvious goal to reap the greatest return on their relatively small investment. They have been unable to enlist any local developer. "Locals" know and the well-respected long time land use attorney for the original developer has confirmed to those asking, the land is a golf course, period. Obvious, that hasn't stopped WC Capital LLC in their quest for greater returns. They hired the Kimely-Horn engineering firm and floated an illustrative site plan composed of

apartments and condos to city staff on September 9, 2021. Staff listened and asked what input and feedback there was from the community? Obviously there was none. An unsuccessful public relations campaign soon followed, and remains ongoing as we believe they are about to make a formal proposal to develop a portion of the P-1 zoned golf course whose acreage has already been used to develop our villages.

Once again, we implore you to resist any zoning change that would result in a direct assault on our standard of living, our property values, the Planning Commission which originally recommended approval, the City Council which ultimately approved this unique golf course community arrangement, the City's COMPREHENSIVE PLAN, the TRANSITION AREA requirements and all our Transition Area neighbors who would also be adversely impacted.

With warm regards,



Hugh Stephens, Jr.

President,

West Neck Community Association, Inc.

Copy to:

Vice Mayor Rosemary Wilson
Councilman Michael Berlucchi
Councilman Linwood Branch
Councilwoman Barbara Henley
Councilman N.D. "Rocky" Holcomb
Councilman Louis Jones
Councilman John Moss
Councilman Aaron R. Rouse
Councilman Guy King Tower
Councilwoman Sabrina Wooten
Planning Commissioner Jack Wall (Chair)
Planning Commissioner George Alcaraz
Planning Commissioner Steve Barnes
Planning Commissioner David Bradley
Planning Commissioner David S. Coston
Planning Commissioner Holly Cuellar
Planning Commissioner Whitney Graham
Planning Commissioner Donald H. Horsley
Planning Commissioner Robyn R. Klein
Planning Commissioner David Redman
Planning Commissioner David Weiner
City Manager Patrick A. Duhaney
City Attorney Mark D. Stiles
Director of Planning and Community Development Robert "Bobby" J. Tajan
Director of Economic Development Taylor Adams
Director of Public Works L.J. Hanson
President Indian River Plantation Homeowner's Association Ben Loyola